



CHAPTER 28

An Act to provide for the punishment of persons whose dogs worry livestock on agricultural land ; and for purposes connected with the matter aforesaid.

[14th July 1953.]

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

1.—(1) Subject to the provisions of this section, 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 its owner, that person also, shall be guilty of an offence under this Act.

Penalty where dog worries livestock on agricultural land.

(2) For the purposes of this Act worrying livestock means—

- (a) attacking livestock, or
- (b) 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.

(3) A person shall not be guilty of an offence under this Act by reason of anything done by a dog, if at the material time the livestock are trespassing on the land in question and the dog is owned by, or in the charge of, the occupier of that land or a person authorised by him, except in a case where the said person causes the dog to attack the livestock.

(4) The owner of a dog shall not be convicted of an offence under this Act in respect of the worrying of livestock by the dog

if he proves that at the time when the dog worried the livestock it was in the charge of some other person, whom he reasonably believed to be a fit and proper person to be in charge of the dog.

(5) Where the Minister is satisfied that it is inexpedient that subsection (1) of this section should apply to land in any particular area, being an area appearing to him to consist wholly or mainly of mountain, hill, moor, heath or down land, he may by order direct that that subsection shall not apply to land in that area.

(6) A person guilty of an offence under this Act shall be liable on summary conviction—

- (a) except in a case falling within the succeeding paragraph, to a fine not exceeding ten pounds;
- (b) in a case where the person in question has previously been convicted of an offence under this Act in respect of the same dog, to a fine not exceeding fifty pounds.

Enforcement.

2.—(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 reasonable 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.

6 Edw. 7. c. 32.

(3) Subsections (4) to (10) of section three of the 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).

3.—(1) In this Act—

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

Interpretation
and
supplementary
provisions.

“ livestock ” means cattle, sheep, goats, swine, horses, or poultry, and for the purposes of this definition “ cattle ” means bulls, cows, oxen, heifers or calves, “ horses ” includes asses and mules, and “ poultry ” means domestic fowls, turkeys, geese or ducks.

(2) In this Act the expression “ the Minister ” as respects England and Wales means the Minister of Agriculture and Fisheries and as respects Scotland means the Secretary of State.

(3) The power of the Minister to make orders under subsection (5) of section one of this Act shall be exercisable by statutory instrument and shall include power, exercisable in the like manner, to vary or revoke any such order.

4.—(1) This Act may be cited as the *Dogs (Protection of Livestock) Act, 1953*.

Short title
and extent.

(2) This Act shall not extend to Northern Ireland.

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Livestock) Act, 1953*

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