

SCHEDULE 4

Regulations 7 and 8

OFFENCE OF PERMITTING A DOG TO ENTER LAND FROM WHICH IT IS EXCLUDED AND FORM OF ORDER

1.—(1) Subject to sub-paragraphs (2) and (3), it is an offence when being in charge of a dog on land to which a dog control order (described as a “Dogs Exclusion Order” in the form set out below) applies, during such times or periods as may be specified in the order, to take the dog onto, or to permit it to enter or to remain on, such land.

(2) No offence is committed where a person has a reasonable excuse for taking the dog onto, or permitting it to enter or remain on, the land, or the owner, occupier or other person or authority having control of the land has consented (generally or specifically) to that person doing so.

(3) The offence does not apply to a person who is registered as a blind person in a register compiled under section 29 of the National Assistance Act 1948, to a deaf person in respect of a dog trained by Hearing Dogs for Deaf People (registered charity number 293358), or to a person who has a disability which affects his mobility, manual dexterity, physical co-ordination or ability to lift, carry or otherwise move everyday objects, in respect of a dog trained by Dogs for the Disabled (registered charity number 700454), Support Dogs (registered charity number 1088281) or Canine Partners for Independence (registered charity number 803680) and upon which that person relies for assistance.

2 In any Dogs Exclusion Order, the offence of taking a dog onto, or permitting it to enter or to remain on, land from which it is excluded is to be set out in full as stated in article 3 in the form of the order given below.

3 In all other respects, a Dogs Exclusion Order providing for that offence is to be in the form given below, or in a form substantially to the like effect.

Form of Order

The Clean Neighbourhoods and Environment Act 2005

The Dog Control Orders (Miscellaneous Provisions) (Wales) Regulations 2007 ([SI 2007/702 \(W.59\)](#))

The Dogs Exclusion [X](1) Order [X](2)

The [X](3) hereby makes the following Order:

1 This Order comes into force on [X](4).

2 This Order applies to the land specified in [the Schedule] [Schedule 1](5).

Offence

3.—(1) A person in charge of a dog shall be guilty of an offence if, [at any time] [during the [times] [periods] specified in Schedule 2](6), that person takes the dog onto, or permits the dog to enter or to remain on, any land to which this Order applies unless—

(a) that person has a reasonable excuse for doing so; or

(b) the owner, occupier or other person or authority having control of the land has consented (generally or specifically) to that person doing so.

(2) Nothing in this article applies to a person who—

(1) **Identify, specifically or generally, the land in respect of which the Order applies.**

(2) **Insert year in which Order is made.**

(3) Insert name of primary or secondary authority making the Order.

(4) Insert date Order comes into force, being at least 14 days after making of the Order.

(5) Specify whichever is the case.

(6) Specify whichever of the options in square brackets is to apply.

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- (a) is registered as a blind person in a register compiled under section 29 of the National Assistance Act 1948; or
 - (b) is deaf, in respect of a dog trained by Hearing Dogs for Deaf People (registered charity number 293358) and upon which that person relies for assistance; or
 - (c) has a disability which affects that person’s mobility, manual dexterity, physical co-ordination or ability to lift, carry or otherwise move everyday objects, in respect of a dog trained by a prescribed charity and upon which that person relies for assistance.
- (3) For the purposes of this article—
- (a) a person who habitually has a dog in their possession is taken to be in charge of the dog at any time unless at that time some other person is in charge of the dog; and
 - (b) each of the following is a “prescribed charity”—
 - (i) Dogs for the Disabled (registered charity number 700454);
 - (ii) Support Dogs (registered charity number 1088281);
 - (iii) Canine Partners for Independence (registered charity number 803680).

Penalty

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A person who is guilty of an offence under article 3 shall be liable on summary conviction to a fine not exceeding level 3 on the standard scale.

[Date]

[Attestation clause]

[SCHEDULE] [SCHEDULE 1](7)

[Specification/description of land, or lands, to which the Order applies](8)

[SCHEDULE 2

[Specification of times or periods during which the offence is to apply]](9)

(7) Specify whichever is the case.

(8) Identify, either specifically or by description, the land to which the Order applies.

(9) If applicable, include Schedule 2 specifying times or periods.