



# Control of Dogs (Scotland) Act 2010

## 2010 asp 9

### *Disqualification from owning or keeping dog: further provision*

#### **11 Disqualification from owning or keeping dog: further provision**

- (1) A person who fails to comply with an order under section 5(2)(a) or 9(5) commits an offence and is liable on summary conviction to a fine not exceeding level 3 on the standard scale.
- (2) Subsection (3) applies where a person has been disqualified by virtue of—
  - (a) section 5(2)(a), or
  - (b) section 9(5),from owning or keeping a dog and at least one year has elapsed since the disqualification was imposed.
- (3) The person may, in such manner as may be prescribed by rules of court, apply to the court which imposed the disqualification for the disqualification to be discharged.
- (4) If, on such an application by a person disqualified by virtue of section 5(2)(a), the court which imposed the disqualification declines to discharge it, the disqualified person may appeal to the [<sup>F1</sup>Sheriff Appeal Court].
- (5) If, on such an application by a person disqualified by virtue of section 9(5), the court which imposed the disqualification declines to discharge it, the disqualified person may appeal to the sheriff principal.
- (6) The decision of the sheriff principal on an appeal under subsection (5) is final.

#### **Textual Amendments**

- F1** Words in s. 11(4) substituted (22.9.2015) by [The Courts Reform \(Scotland\) Act 2014 \(Consequential Provisions No. 2\) Order 2015 \(S.S.I. 2015/338\)](#), art. 1, [Sch. 2 para. 12\(3\)](#) (with art. 4)

**Changes to legislation:**

There are currently no known outstanding effects for the Control of Dogs (Scotland) Act 2010, Section 11.