



Animals Act 1971

1971 CHAPTER 22

Animals straying on to highway

8 Duty to take care to prevent damage from animals straying on to the highway

- (1) So much of the rules of the common law relating to liability for negligence as excludes or restricts the duty which a person might owe to others to take such care as is reasonable to see that damage is not caused by animals straying on to a highway is hereby abolished.
- (2) Where damage is caused by animals straying from unfenced land to a highway a person who placed them on the land shall not be regarded as having committed a breach of the duty to take care by reason only of placing them there if—
 - (a) the land is common land, or is land situated in an area where fencing is not customary, or is a town or village green; and
 - (b) he had a right to place the animals on that land.