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STATUTORY INSTRUMENTS

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**1991 No. 1744**

**The Dangerous Dogs Compensation  
and Exemption Schemes Order 1991**

**PART III**

**EXEMPTION SCHEME**

**3.** The prohibition contained in subsection (3) of section 1 of the Act<sup>(1)</sup> (no person to have in his possession or custody after the appointed day a dog to which that section applies) shall not apply to a dog born before the appointed day in respect of which the conditions specified in article 4, or as the case may be, article 5 are complied with.

**Conditions for adult dogs**

**4.** In the case of a dog which is over the age of six months on the appointed day, the conditions referred to in article 3 are—

- (a) that article 6 has been complied with;
- (b) that the requirements of article 7 have been complied with;
- (c) that there is in force in respect of the dog third party insurance which complies with article 8;
- (d) that the fee specified in article 9 has been paid;
- (e) that a certificate of exemption issued in accordance with article 10 is in force; and
- (f) that the requirements specified in the certificate, in accordance with article 10, are complied with.

**Conditions for puppies**

**5.** In the case of a dog which is under the age of six months on the appointed day, the conditions referred to in article 3 are those specified in article 4 except that the conditions contained in paragraphs (b) to (f) of article 4 need not be complied with until after the appointed day as long as they are complied with within one month of the dog's attaining the age of six months.

**Reporting to the Police**

**6.** The owner of a dog to which section 1 of the Act applies who wishes to claim compensation in accordance with Part II of this Order and a person who wishes such a dog to be exempt from the provisions of section 1(3) of the Act shall, in the case of a dog to which article 4 applies, before 12th October 1991, and in the case of a dog to which article 5 applies, before the appointed day, report to a police station and provide the police with such information concerning the dog as may reasonably be required by the Secretary of State for the purpose of establishing—

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(1) By virtue of the Dangerous Dogs Act 1991 (Commencement and Appointed Day) Order 1991 (S.I.1991/1742) 30th November 1991 is the day after which possession of a dog to which section 1 of the Act applies becomes an offence.

- (a) that the dog is one to which section 1 of the Act applies; and
- (b) the address at which the dog is kept; and
- (c) the name, age and gender of the dog.

### **Neutering and Identification**

7.—(1) A male dog which is to be exempted from the provisions of section 1(3) of the Act shall be castrated, and a female dog which is to be so exempted shall be spayed, in either case by a registered veterinary practitioner, and the dog shall be provided with permanent identification in such form as may be prescribed by the Agency in order that it may be readily ascertained that the relevant operation has been performed on it.

(2) A person wishing to claim exemption shall provide the Agency with such evidence as they may require of the fact that the requirements of paragraph (1) have been met.

### **Third Party Insurance**

8.—(1) There shall be in force in respect of a dog which is to be exempted from the provisions of section 1(3) of the Act a policy of insurance which insures the person specified in the policy in respect of the death of, or bodily injury to, any person caused by the dog.

(2) A person wishing to claim exemption shall provide the Agency with such evidence as they may require of the fact that the dog is insured in accordance with paragraph (1).

### **The Fee**

9. The fee payable to the Agency in respect of a certificate of exemption shall be £12.50 and value added tax thereon.

### **Certificate of Exemption**

10.—(1) If satisfied that the conditions referred to in paragraphs (a) to (d) of article 4 have been met, the Agency shall issue a certificate of exemption in respect of the dog.

(2) Such a certificate shall contain the following requirements:

- (a) a requirement to notify the Agency of any change of address at which the dog to which it relates is kept for a period in excess of 30 days;
- (b) a requirement to notify the Agency of the death or export of the dog;
- (c) a requirement, on request by a person specified in section 5(1) of the Act, to produce the certificate to such a person within five days of being requested to do so;
- (d) a requirement, on request by a person specified in section 5(1) of the Act, to display the dog's permanent identification pursuant to article 7 to such a person;
- (e) a requirement to satisfy the Agency that a policy of insurance which complies with article 8 continues in force;
- (f) a requirement to keep the dog to which it relates in sufficiently secure conditions to prevent its escape.

(3) Such a certificate may also contain such additional requirements, including the imposition of time limits, as the Agency may reasonably require for the purpose of ensuring that the requirements of this article are complied with.

11. The Secretary of State shall make such payments to the Agency in respect of the discharge by them of functions under this Order as are agreed between them or, in default of agreement, as appear to him appropriate.

