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Explanatory Notes are printed separately.

Control of Dogs (Wales) Bill

[DRAFT]

CONTENTS

Introduction

1 Overview

Service of a dog control notice

2 Circumstances in which a dog control notice may be served

3 Individuals on whom a dog control notice may be served

4 Service of subsequent dog control notice

Mandatory contents of a dog control notice

5 Requirement to maintain consistent and effective control over the dog

6 Requirement to accompany the dog

7 Requirements relating to training

8 Requirement to provide information

9 Power to specify further mandatory requirements

Optional contents of a dog control notice

10 Contents of a dog control notice: optional requirements

Variation of a dog control notice by local authority

11 Local authority power to vary a dog control notice

Appealing against a dog control notice

12 Appeal against a dog control notice

13 Suspension of dog control notice pending appeal

Discharge of dog control notice by local authority

14 Local authority duty to discharge dog control notice

15 Local authority power to discharge dog control notice

16 Discharge of dog control notice by local authority: supplementary

Failure to comply with a dog control notice

17 Failure to comply with a dog control notice

Destruction orders and disqualification orders

18 Orders that may be made on conviction of an offence under section 17

19 Disqualification order: suspension pending appeal

20 Disqualification order: seizure of a dog

21 Discharge of disqualification order

22 Failure to comply with a disqualification order

23	Suspension of orders pending an appeal
	<i>Discharge or variation of dog control notice by court</i>
24	Court's power to discharge or vary dog control notice
	<i>Recording and monitoring dog control notices</i>
25	Recording dog control notices
26	Monitoring dog control notices
	<i>Database of dog control notices</i>
27	Establishment and operation of database of dog control notices
	<i>Supplementary provision about dog control notices</i>
28	Authorisation to serve dog control notices
29	Service of dog control notices: supplementary
30	Form and content of dog control notices
31	Local authority duty to have regard to guidance etc
	<i>Dangerously out of control dogs</i>
32	Dangerously out of control dogs: amendment of the Dangerous Dogs Act 1991
	<i>General</i>
33	Orders and regulations
34	Interpretation
35	Commencement
36	Short title

Control of Dogs (Wales) Bill

[DRAFT]

An Act of the National Assembly for Wales to make provision in connection with the control of dogs.

Having been passed by the National Assembly for Wales and having received the assent of Her Majesty, it is enacted as follows:

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Introduction

1 Overview

- (1) This Act makes provision for the service of dog control notices, including provision for—
 - (a) the circumstances in which a dog control notice may be served;
 - (b) the individuals on whom a dog control notice may be served;
 - 10 (c) the contents of a dog control notice.
- (2) It provides that failure to comply with a dog control notice is an offence, punishable by a fine.
- (3) It confers power on a court, where an individual is convicted of the offence of failing to comply with a dog control notice, to order—
 - 15 (a) the destruction of the dog to which the notice relates;
 - (b) the disqualification of the individual from owning or keeping a dog;
 - (c) the seizure of a dog.
- (4) It confers power on a court to give directions about how a dog is to be dealt with pending an appeal against—
 - 20 (a) a dog control notice, or
 - (b) an order made by a court on conviction of the offence of failing to comply with a dog control notice or a disqualification order.
- (5) This Act also amends the Dangerous Dogs Act 1991 to provide that—
 - 25 (a) a dog is dangerously out of control, for the purposes of that Act, if there is reasonable apprehension that it will injure another animal in Wales that is a protected animal;
 - (b) an offence is committed under that Act if a dog is dangerously out of control in any place in Wales, whether or not it is a public place;
 - 30 (c) an aggravated offence is committed under that Act if a dangerously out of control dog injures a protected animal in Wales.

*Service of a dog control notice***2 Circumstances in which a dog control notice may be served**

- (1) If each of the following three conditions is met, an authorised person may, on behalf of a local authority, serve a notice on an individual who is responsible for a dog.
- (2) The first condition is that it appears to the authorised person, at a time when the dog is in the local authority's area, that it is not kept under consistent and effective control.
- (3) The second condition is that it appears to the authorised person that, in consequence of the failure to keep the dog under consistent and effective control, its behaviour has on at least one occasion since the coming into force of this section caused anyone to feel apprehension about—
- (a) his or her own safety,
 - (b) the safety of someone else, or
 - (c) the safety of another animal that is a protected animal.
- (4) The third condition is that it appears to the authorised person that it was reasonable for that individual to feel apprehension about the matter in question.
- (5) A notice served under this section is to be known as a "dog control notice".
- (6) References in this Act to the dog to which a dog control notice relates are to the dog by reference to which, for the purposes of the service of the notice, the conditions in subsections (2) and (3) were met.
- (7) In determining whether to serve a dog control notice, an authorised person is to have regard to any code of practice issued by the Welsh Ministers under section 14 of the Animal Welfare Act 2006.
- (8) A dog control notice may not relate to more than one dog.

3 Individuals on whom a dog control notice may be served

- (1) For the purposes of the service of a dog control notice by an authorised person, an individual is responsible for a dog if the individual is aged 16 or over and appears to the authorised person—
- (a) to have day to day charge of the dog, or
 - (b) to have parental responsibility for an individual aged under 16 who has day to day charge of the dog.
- (2) "Parental responsibility", for the purposes of this section, has the same meaning as in the Children Act 1989.

4 Service of subsequent dog control notice

- (1) An authorised person may not serve a dog control notice on an individual on behalf of a local authority, if a dog control notice previously served on that individual on behalf of the same authority and in relation to the same dog has not been discharged.

- (2) A dog control notice served on an individual on behalf of a local authority is to be treated for the purposes of this Act as having no effect, if a dog control notice previously served on that individual, in relation to the same dog but on behalf of another local authority, has not been discharged.

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Mandatory contents of a dog control notice

5 Requirement to maintain consistent and effective control over the dog

A dog control notice is to require the individual on whom it has been served to ensure that consistent and effective control is maintained over the dog to which the notice relates at any time when the dog is in Wales.

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6 Requirement to accompany the dog

- (1) A dog control notice is to require the individual on whom it has been served (the “responsible person”) to prevent the dog to which the notice relates from being in any public place in Wales unless either the responsible person, or a suitable individual to whom the responsible person has for the time being entrusted charge of the dog –

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- (a) accompanies it, and
- (b) maintains consistent and effective control over it.

- (2) A suitable individual, for the purposes of subsection (1), is an individual –

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- (a) who is aged 16 or over,
- (b) to whom the responsible person has explained the requirements of the dog control notice, and
- (c) who the responsible person reasonably believes to be willing and able to comply with those requirements.

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- (3) Subsection (1) is subject to any requirement in the notice that the dog is to be kept away from a particular place or kind or description of place, or have its access to a particular place or kind or description of place restricted (see section 10).

7 Requirements relating to training

- (1) A dog control notice that has been served on an individual who is ordinarily resident in Wales is to –

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- (a) specify training, or a description of training, and
- (b) require the individual to undertake that training, or training of that description.

- (2) A dog control notice that has been served on an individual who is not ordinarily resident in Wales is to –

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- (a) specify training, or a description of training, and
- (b) require the individual to prevent the dog to which the notice relates from being in Wales unless the individual has taken steps specified in the notice in respect of the undertaking of that training, or of training of that description.

- (3) The training, or description of training, that is specified in a dog control notice for the purposes of this section is to be training the undertaking of which the authorised person by whom the notice is served considers is –
- (a) necessary to keep the dog under consistent and effective control, or
 - (b) likely to assist in doing so.
- (4) The training may, in particular, be –
- (a) training that is to be undertaken by the individual either with the dog or without it;
 - (b) training in matters relevant to the welfare or needs of the dog.
- (5) The training may be training in respect of which, or in connection with which, costs are payable by the individual (whether in respect of the undertaking of the training, or in respect of materials used in the training, or access to the training, or otherwise).
- (6) A requirement relating to the undertaking of training –
- (a) may specify that the training is to be undertaken by completing a course of training or by other means;
 - (b) may specify a date by which the requirement is to have been complied with or by which specified steps are to have been taken for the purpose of complying with it.

8 Requirement to provide information

A dog control notice is to require the individual on whom it has been served to provide to the local authority on behalf of which the notice was served such information as the authority may reasonably require for the purpose of monitoring compliance with the requirements of the notice (including, in particular, any change to the individual's name or address).

9 Power to specify further mandatory requirements

The Welsh Ministers may by order specify further requirements that are to be included in dog control notices.

Optional contents of a dog control notice

10 Contents of a dog control notice: optional requirements

- (1) A dog control notice may impose other requirements on the individual on whom it has been served if the authorised person by whom it is served considers that compliance with them is –
- (a) necessary to keep the dog to which the notice relates under consistent and effective control, or
 - (b) likely to assist in doing so.
- (2) The requirements may (for example) relate to –
- (a) keeping the dog away from particular places or places of a particular kind or places of a description specified in the notice;

- (b) restricting the dog's access to particular places or places of a particular kind or places of a description specified in the notice;
- (c) keeping the dog on a lead;
- (d) keeping the dog muzzled;
- 5 (e) if the dog is male, neutering it.
- (3) In the case of a notice that has been served on someone by virtue of having parental responsibility for an individual who has day to day charge of a dog, the requirements may also relate to ensuring that the individual undertakes training in matters relevant to the control, or welfare or needs, of the dog.
- 10 (4) A requirement imposed under this section may specify a date by which it is to have been complied with or by which specified steps are to have been taken for the purpose of complying with it.
- (5) A requirement imposed under this section that applies in relation to a place may do so –
- (a) whether or not the place in question is a public place, and
- 15 (b) whether or not it is in the area of the local authority on whose behalf the notice was served.
- (6) But a requirement imposed under this section may not apply in relation to a place that is not in Wales.

Variation of a dog control notice by local authority

20 **11 Local authority power to vary a dog control notice**

- (1) A local authority may vary a dog control notice served on its behalf.
- (2) But no variation may be made without the written agreement to it of the individual on whom the notice was served.
- (3) On varying a notice served on an individual on its behalf, a local authority must –
- 25 (a) specify the date from which the variation is to have effect, and
- (b) serve on the individual a copy of the notice as varied.

Appealing against a dog control notice

12 Appeal against a dog control notice

- (1) An individual on whom a dog control notice has been served may appeal against it to a magistrates' court.
- 30 (2) An appeal may be made on any one or more of the following grounds –
- (a) that the notice ought not to have been served;
- (b) that requirements imposed in the notice under section 7 or 10 are unfair or unreasonable for any reason;
- 35 (c) that the notice ought to have been discharged under section 14 (local authority duty to discharge dog control notice).

- (3) On determining an appeal under this section, the court—
- (a) may confirm the notice without modifications;
 - (b) may discharge the notice;
 - (c) if it neither confirms the notice without modifications nor discharges it, may—
 - (i) vary a requirement imposed under section 7;
 - (ii) vary or discharge requirements imposed under section 10.
- (4) On exercising the power of variation or discharge under subsection (3), the court must specify the date from which the variation or discharge is to have effect.

13 Suspension of dog control notice pending appeal

- (1) A court to which an individual makes an appeal under section 12 against a dog control notice may suspend the operation of the notice, or of a requirement imposed in it, pending the appeal.
- (2) On granting a suspension under subsection (1), the court may give directions about how the dog to which the notice relates is to be dealt with during the suspension.
- (3) The directions may, in particular—
- (a) authorise the dog to be taken into possession;
 - (b) appoint a person to carry out the directions or to arrange for them to be carried out;
 - (c) require anyone having possession of the dog to deliver it up for the purpose of the directions;
 - (d) confer additional powers (including power to enter premises where the dog is being kept) for the purposes of, or in connection with, the carrying out of the directions;
 - (e) provide for the recovery of expenses reasonably incurred in carrying out the directions.
- (4) Any expenses in respect of which provision is made under subsection (3)(e) are recoverable summarily as a civil debt.

Discharge of dog control notice by local authority

14 Local authority duty to discharge dog control notice

- (1) A local authority must discharge a dog control notice served on its behalf if it is satisfied that the dog to which the notice relates—
- (a) is being kept under consistent and effective control, and
 - (b) will continue to be kept under consistent and effective control if the notice is discharged.
- (2) A local authority must discharge a dog control notice served on its behalf if it is satisfied that the circumstances are otherwise such that it would be unreasonable not to discharge the notice.

15 Local authority power to discharge dog control notice

A local authority may, if satisfied that it would be appropriate to do so, discharge a dog control notice served on its behalf.

16 Discharge of dog control notice by local authority: supplementary

On discharging a dog control notice, a local authority must –

- (a) specify the date from which the discharge is to have effect, and
- (b) give written notice of the discharge to the individual on whom the notice was served.

*Failure to comply with a dog control notice***17 Failure to comply with a dog control notice**

- (1) An individual who, without reasonable excuse, fails to comply with a requirement in a dog control notice is guilty of an offence.
- (2) An individual guilty of an offence under this section is liable on summary conviction to a fine not exceeding level 3 on the standard scale.
- (3) Any local authority may prosecute proceedings for an offence under this section (whether or not it is the authority on whose behalf the notice was served).
- (4) For the purposes of determining whether or not an individual has complied with a requirement imposed in a dog control notice, it is immaterial whether or not, as at the date of any alleged non-compliance, the individual was resident in the area of the local authority on whose behalf the notice was served.

*Destruction orders and disqualification orders***18 Orders that may be made on conviction of an offence under section 17**

- (1) The court by which an individual is convicted of an offence under section 17 in respect of a dog control notice may on conviction make an order for either or both of the following –
 - (a) the destruction of the dog to which the notice relates;
 - (b) the disqualification of the individual under subsection (4).
- (2) But the court may not make an order under subsection (1)(a) unless it is satisfied that the dog is a danger to public safety or to the safety of other protected animals.
- (3) Where a court makes an order under subsection (1)(a), it may –
 - (a) appoint a person to carry out the order or to arrange for it to be carried out;
 - (b) require anyone having possession of the dog to deliver it up to enable the order to be carried out;
 - (c) give directions about the carrying out of the order (including directions about how the dog is to be dealt with until it is destroyed);

(d) confer additional powers (including power to enter premises where the dog is being kept) for the purposes of, or in connection with, the carrying out of the order;

(e) order the offender to reimburse expenses reasonably incurred in carrying out the order.

(4) Disqualification under this subsection disqualifies an individual –

(a) from owning dogs,

(b) from keeping dogs,

(c) from participating in the keeping of dogs, and

(d) from being party to an arrangement under which he or she is entitled to control or influence the way in which dogs are kept.

19 Disqualification order: suspension pending appeal

(1) The court by which an order for disqualification under section 18(1)(b) is made may suspend the operation of the disqualification pending an appeal against either or both of –

(a) the order;

(b) the conviction on which the order was made.

(2) The court may also suspend the disqualification for such period as it thinks necessary for the purpose of enabling alternative arrangements to be made in respect of any dog which the individual owns or keeps at the date on which the order is made.

20 Disqualification order: seizure of a dog

(1) Where a court disqualifies an individual under section 18(1)(b), it may order –

(a) that any dog owned or kept by the individual is to be taken into possession, and

(b) that any dog so taken into possession that is owned by the individual is to be disposed of in accordance with the order.

(2) A dog taken into possession in pursuance of an order under subsection (1) that is not owned by the individual convicted is to be disposed of in whatever manner the appropriate court may order.

(3) A court is not to make an order under subsection (2) unless –

(a) it has given the owner of the dog the opportunity to be heard, or

(b) it is satisfied that it is not reasonably practicable to communicate with the owner.

(4) Where a court makes an order under subsection (2), the owner may appeal against the order to the Crown Court.

(5) The appropriate court, for the purposes of subsection (2), is –

(a) the court by which the order under subsection (1) was made, or

(b) any magistrates' court for the same local justice area as the court by which the order under subsection (1) was made.

- (6) For the purposes of this section, references to disposing of a dog include destroying it.
- (7) Where a court makes an order under this section, it may –
- (a) appoint a person to carry out, or arrange for the carrying out of, the order;
 - (b) require anyone having possession of the dog to deliver it up to enable the order to be carried out;
 - (c) give directions about the carrying out of the order;
 - (d) confer additional powers (including power to enter premises where the dog is being kept) for the purposes of, or in connection with, the carrying out of the order;
 - (e) in the case of an order under subsection (1), order the individual convicted to reimburse expenses reasonably incurred in carrying out the order;
 - (f) in the case of an order under subsection (2), order the individual convicted or the owner of the dog to reimburse expenses reasonably incurred in carrying out the order.
- (8) Directions under subsection (7)(c) may, in the case of an order providing for the disposal of a dog –
- (a) specify how the dog is to be disposed of, or
 - (b) delegate the decision about how the dog is to be disposed of to a person appointed under subsection (7)(a).

21 Discharge of disqualification order

- (1) An individual who is disqualified by an order under section 18(1)(b) may apply to the court that made the order for a direction terminating the disqualification.
- (2) The application may not be made before the end of the period of one year beginning with the day on which the order was made.
- (3) If the court refuses the application, no further application may be made under this section in respect of the order before the end of the period of one year beginning with the day on which the application was refused.
- (4) A court to which an individual makes an application under this section may order the applicant to pay all or some of the costs of the application.

22 Failure to comply with a disqualification order

- (1) An individual who fails to comply with an order under section 18(1)(b) is guilty of an offence and liable on summary conviction to a fine not exceeding level 3 on the standard scale.
- (2) A local authority may prosecute proceedings for an offence under subsection (1) that is committed in its area.

- (3) A court by which an individual is convicted of an offence under this section may, on conviction, make an order providing –
- (a) for any dog owned or kept by the individual to be taken into possession, and
 - (b) for any dog so taken into possession that is owned by the individual to be disposed of in accordance with the order.
- (4) Subsections (2) to (8) of section 20 apply for the purposes of an order under subsection (3) as they apply for the purposes of an order under section 20, but as if references in those subsections to an order under section 20(1) were to an order under subsection (3).

23 Suspension of orders pending an appeal

- (1) Nothing may be done under an order under section 18(1)(a), 20, or 22 with respect to a dog unless –
- (a) the period for giving notice of appeal against the order has expired;
 - (b) the period for giving notice of appeal against the conviction on which the order was made has expired;
 - (c) if the order or conviction is the subject of an appeal, the appeal has been determined or withdrawn.
- (2) For so long as the effect of an order is suspended under subsection (1), no requirements imposed or directions given in the order are to have effect.
- (3) The court that made the order may give directions about how the dog is to be dealt with during the suspension.
- (4) The directions may, in particular –
- (a) authorise the dog to be taken into possession;
 - (b) appoint a person to carry out the directions or arrange for them to be carried out;
 - (c) require anyone having custody of the dog to deliver it up for the purposes of the directions;
 - (d) confer additional powers (including power to enter premises where the dog is being kept) for the purposes of, or in connection with, the carrying out of the directions;
 - (e) provide for the recovery of expenses reasonably incurred in carrying out the directions.
- (5) Any expenses in respect of which provision is made under subsection (4)(e) are recoverable summarily as a civil debt.

Discharge or variation of dog control notice by court

24 Court's power to discharge or vary dog control notice

- (1) Subsection (2) applies if proceedings are brought before a court against an individual for an offence under section 17 in respect of a dog control notice.

- (2) Whether or not the individual is convicted, the court may, if it thinks appropriate –
- (a) vary a requirement imposed in the notice under section 7;
 - (b) vary or discharge requirements imposed in the notice under section 10;
 - (c) discharge the notice.

- 5 (3) On exercising the power of variation or discharge under subsection (2), the court must specify the date from which the variation or discharge is to have effect.

Recording and monitoring dog control notices

25 Recording dog control notices

- 10 (1) A local authority must keep an accurate and up to date record of all dog control notices served on its behalf.
- (2) The Welsh Ministers may direct a local authority to include in the record information specified in the direction.
- (3) A local authority must comply with any direction under subsection (2).
- 15 (4) A local authority must notify an individual of any change to a record kept by it under this section in respect of a dog control notice served on the individual.

26 Monitoring dog control notices

- (1) A local authority must make arrangements for monitoring compliance, by individuals ordinarily resident in its area, with dog control notices served on the authority's behalf.
- 20 (2) A local authority must make arrangements for monitoring compliance, by individuals it knows to be ordinarily resident in its area, with dog control notices it knows to have been served on behalf of another local authority.
- (3) Local authorities must co-operate with each other for the purpose of making arrangements under this section.

Database of dog control notices

25 **27 Establishment and operation of database of dog control notices**

- (1) The Welsh Ministers may establish and operate, or make arrangements with any person for the establishment and operation of, a database of dog control notices.
- (2) The Welsh Ministers may by regulations make provision relating to the establishment and operation of a database under or by virtue of this section.
- 30 (3) The regulations may in particular make provision –
- (a) about information that may or must be contained in the database;

- (b) permitting or requiring a person, or a person of a particular kind, or of a description specified in the regulations, to supply information for inclusion in the database, or otherwise for the purpose of maintaining and operating the database;
- (c) about the provision of that information (including the manner or form in which, and time by which, and the person to whom, it may or must be so supplied);
- (d) permitting or requiring the disclosure of information included in the database;
- (e) permitting or requiring a person, or a person of a particular kind, or of a description specified in the regulations, to be given access to the database for the purpose of adding or reading information;
- (f) about conditions to which that access may or must be made subject;
- (g) about the length of time for which information may or must be retained in the database;
- (h) about procedures for ensuring that information contained in the database is accurate and up to date.
- (4) Information that is, under the regulations, permitted or required to be contained in the database, or permitted or required to be supplied for the purposes of the database, may be information relating to an individual's compliance with, or the effectiveness of, a dog control notice.
- (5) A person establishing or operating a database by virtue of this section must, in doing so, have regard to any guidance, and comply with any directions, given by the Welsh Ministers.
- (6) Guidance or directions under subsection (5) may in particular relate to—
- (a) the management of the database;
- (b) the technical specifications for the database;
- (c) the security of the database;
- (d) the giving of advice relating to rights under the Data Protection Act 1998.
- (7) Before making regulations under this section, the Welsh Ministers must consult—
- (a) each local authority in Wales;
- (b) such other persons as the Welsh Ministers think fit.

30 *Supplementary provision about dog control notices*

28 **Authorisation to serve dog control notices**

- (1) An authorised person, for the purposes of the service of a dog control notice on a local authority's behalf, is—

- (a) an individual authorised in writing by the authority to serve dog control notices on its behalf;
- (b) an individual authorised in writing by a person other than the authority to serve dog control notices on the authority's behalf, where that authorisation is given in accordance with arrangements the authority has made with that person for the authorisation of individuals to serve dog control notices on the authority's behalf.
- (2) An authorisation of an individual to serve dog control notices may provide for that individual to exercise functions in respect of the variation and discharge of dog control notices.
- (3) For the purposes of the variation of a dog control notice served by a local authority, references in this Act to the authorised person by whom the notice was served are references to an individual authorised to exercise the authority's functions in respect of the variation of dog control notices.
- (4) The Welsh Ministers may by regulations prescribe conditions that are to be met by –
- (a) an individual authorised to serve dog control notices on behalf of an authority;
- (b) a person with whom an authority enters into arrangements as described in subsection (1)(b).

29 Service of dog control notices: supplementary

- (1) A dog control notice, or copy of a dog control notice varied under section 11, may be served on someone by –
- (a) delivering it to him or her personally,
- (b) sending it by post to his or her last known address, or
- (c) transmitting it in the form of an electronic communication in accordance with subsection (2).
- (2) The transmission of a notice or copy of a notice in the form of an electronic communication is in accordance with this subsection if –
- (a) the individual to whom it is transmitted has agreed that the notice or (as the case may be) the copy of the notice may be served on him or her by being transmitted to an electronic address and in an electronic form specified by the individual for that purpose, and
- (b) the notice or copy of a notice is transmitted to that address in that form.
- (3) In this section –
- “electronic address” includes any number or address used for the purpose of receiving electronic communications;
- “electronic communication” has the same meaning as in the Electronic Communications Act 2000.

30 Form and content of dog control notices

The Welsh Ministers may by order specify –

- (a) the form of a dog control notice;

- (b) information that is to be included in a dog control notice.

31 Local authority duty to have regard to guidance etc

In exercising functions under this Act, a local authority is to have regard to—

- (a) any guidance issued by the Welsh Ministers in connection with the performance of those functions;
- (b) any code of practice issued by the Welsh Ministers under section 14 of the Animal Welfare Act 2006.

Dangerously out of control dogs

32 Dangerously out of control dogs: amendment of the Dangerous Dogs Act 1991

(1) The Dangerous Dogs Act 1991 is amended as follows.

(2) In section 3 (keeping dogs under proper control) —

(a) in subsection (1) —

(i) after “in a public place” insert “in England, or in any place (whether or not a public place) in Wales”;

(ii) after “any person”, insert “, in the case of a dog in England, or any person or other animal that is a protected animal, in the case of a dog in Wales, of”;

(b) in subsection (3), after “a place” insert “in England”.

(3) In section 4 (destruction and disqualification orders), in subsection (1A)(a), after “safety” insert “, in the case of a dog in England, or to public safety or the safety of protected animals, in the case of a dog in Wales”.

(4) In section 4B (destruction orders otherwise than on a conviction), in subsection (2)(a), after “safety” insert “, in the case of a dog in England, or to public safety or the safety of protected animals, in the case of a dog in Wales”.

(5) In section 5 (seizure, entry of premises and evidence), after subsection (1) insert —

“(1A) A constable may seize any dog which is in a place in Wales that is not a public place, if the dog appears to the constable to be dangerously out of control.”

(6) In section 10 (interpretation, etc) —

(a) in subsection (2), after the definition of “advertisement”, insert —

““protected animal” has the same meaning as in the Animal Welfare Act 2006;”;

(b) in subsection (3) —

(i) after “any person” insert “, in the case of a dog in England, or any person or other animal that is a protected animal, in the case of a dog in Wales”;

(ii) after “a person” insert “or a protected animal”;

(c) after subsection (3) insert –

“(3A) References in this Act to a dog injuring a protected animal, or to there being grounds for reasonable apprehension that it will do so, do not include references to any case in which the dog is being used for a lawful purpose in connection with hunting with dogs.”

General

33 Orders and regulations

(1) An order or regulations under this Act –

- (a) may make provision generally or only for specified purposes, cases or circumstances;
- (b) may make different provision for different purposes, cases or circumstances;
- (c) may make incidental, supplementary, consequential, transitory, transitional or saving provision.

(2) Any power to make an order or regulations under this Act is exercisable by statutory instrument.

(3) A statutory instrument containing an order or regulations made by the Welsh Ministers under any provision of this Act (other than an order under section 35) is subject to annulment in pursuance of a resolution of the National Assembly for Wales.

34 Interpretation

In this Act –

“local authority” (*“awdurdod lleol”*) means a council for a county or county borough in Wales;

“protected animal” (*“anifail a warchodir”*) has the same meaning as in the Animal Welfare Act 2006;

“public place” (*“man cyhoeddus”*) means a highway or other place to which members of the public have or are permitted to have access, whether or not for payment, and includes the common parts of a building containing two or more separate dwellings.

35 Commencement

(1) The following sections come into force on the day on which this Act receives Royal Assent –

- (a) section 1;
- (b) sections 33 and 34;
- (c) this section;
- (d) section 36.

- (2) The other provisions of this Act come into force in accordance with provision made by the Welsh Ministers by order.

36 Short title

The short title of this Act is the Control of Dogs (Wales) Act 2013.