



## THE LABRADOR RESCUE TRUST

### ESSENTIAL GUIDE TO THE LAW AND YOUR DOG

It is very important that you know the basic law relating to your responsibilities of ownership of a dog. All dog owners must comply with the law and a representative of The Labrador Rescue Trust (TLRT) will inform you of some of the basic requirements if you are unsure.

#### **Identification**

In order to be able to identify your dog should he become lost, TLRT strongly recommends that you have him microchipped immediately - if that has not already been done. TLRT may have already done this, as there are a number of its Helpers who are authorised to carry out this procedure. Your Helper will inform you if this is so in the case of your dog. If it is not, and there is no authorised person from TLRT close to you, most Veterinary Surgeons are able to carry out the procedure for you.

However, under The Control of Dogs Order 1992, any dog that is in a public place **must** wear a collar with the name and address (including postcode) of the owner clearly written or engraved on it or on an identification tag attached to it. Such tags can usually be purchased through your Veterinary Surgeon or local Pet Shop. However, collars can be removed or come off leaving your dog without identification. We would therefore stress how important it is that you make sure that your dog is microchipped so that he can be easily identified and returned to you. We should stress that your dog must still wear a collar with its owner's identification when it is in a public place whether it is microchipped or not.

You should BE AWARE that, if your dog should stray, the local Dog Wardens are obliged to seize any stray dog under the Environment Protection Act 1990. Dog Wardens are only required to keep seized dogs for seven clear days before they have a legal right to sell it, give it away or have it destroyed.

#### **Dangerous Dogs**

A dog must be kept under control in a public place at all times. It is a criminal offence if it is considered to be out of control in a public place and the owner and/or the person in charge of the dog can be held responsible under the Dangerous Dogs Act 1991. If a dog should injure a person, penalties can include a prison sentence, a ban on keeping a dog and possibly having the dog destroyed. It is therefore most important to keep your dog under proper control at all times.

#### **Travelling with dogs** (also see Help Sheet Number 5)

Whilst your dog is travelling in any vehicle it must not cause a nuisance nor in any way distract the driver during a journey otherwise you may find yourself liable to prosecution



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under the Road Traffic Act 1988.

The Road Traffic Act 1988 also states that dogs must be kept on leads on certain designated highways. Your Highways Authority will be able to tell you which roads are so designated.

See our Help Sheet No 6 for further guidance on taking your dog on holiday.

### **Noise Nuisance**

Dogs barking can cause nuisance to other people. Local Authorities have the power to prosecute if the noise amounts to a statutory nuisance under the Environmental Protection Act 1990 with fines up to £5,000. In some circumstances, this can also include noise or bad behaviour in your vehicle as it has, in the past, been deemed to be in a public place when the vehicle is on a public road or public area.

### **Third Party Liability**

In order to protect yourself, you should ensure that you have Third Party Liability insurance cover in case of any damage caused by your dog to other people's property where you could be liable under the Animals Act 1971. This could include a road traffic accident caused by your dog where people and/or their vehicle are damaged. Compensation awards these days can be very high.

### **Dog Fouling**

Always pick up after your dog. It is an offence under the Clean Neighbourhoods and Environment Act 2005 not to do so and local authorities have the power to impose a fine if you do not pick up.

### **Breeding**

There are very strict requirements regarding the breeding and sale of dogs. This subject is covered by the Breeding and Sale of Dogs (Welfare) Act 1999. Your Dog Warden or the Environmental Health Department of your District Council can give you further details.

At the time that you took possession of your rescued Labrador, you signed a legal agreement that, under no circumstances, would you use the dog for breeding purposes. TLRT takes this matter most seriously and has the power to remove the dog if you do not comply with this.

### **General**

You should make sure that you are aware of local bylaws and Dog Control Orders as well as any new legislation that comes into force, including the The Animal Welfare Act 2006,



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which was introduced in 2007 and increased and introduced new penalties to tackle cruelty, neglect, mutilation, tail docking, animal fights and the giving of pets as prizes. Local Authorities have been given powers under the Clean Neighbourhoods and Environment Act 2005 to introduce local Dog Control Orders. This allows the Local Authorities to include orders that dogs must be kept on leads (or are put on leads when requested to) in certain places within their jurisdiction and/or that dogs are excluded from certain places within their jurisdiction. If the Local Authorities wish, they even have the power to determine the number of dogs that one person may walk at any one time in a public place. 'On the spot' fines may be imposed for non compliance. You may also wish to note that this Act also removes the responsibility from the Police for stray dogs. This responsibility has been transferred to the Local Council.

The Countryside Code states that, when you are out walking your dog in the countryside, it must be kept under control at all times and that it must be kept on a lead where there is livestock. A farmer has the right under the Dogs (protection of livestock) Act 1953 to stop your dog from worrying livestock, in certain circumstances, even by shooting it.

If you should find a stray dog, you should notify its owner and arrange for its collection or inform/take it to the local Dog Warden of the Local Council. The Police no longer have the responsibility for accepting/looking after stray dogs. It is illegal to keep a stray dog without trying to find its owner or notifying the local Dog Warden. Should you wish to keep it, then this may be permissible providing that you are considered suitable and that you agree to keep it for a minimum specified period. Even so, should the original owner eventually be found, they could still have a claim for the dog's return.

For your information, Dog Wardens can usually be contacted through the Environmental Health Department of your local District Council.

Should you wish for specialist information regarding the law and your dog, you can always contact The Kennel Club on 0870 606 6750 who provide a service to help with any queries or legal questions that you may have.

***The information contained in this sheet is intended to be helpful but there is no guarantee of its accuracy. You should therefore take professional advice with regard to any legal matters relating to your dog.***

These Information Sheets are intended to serve as a guideline to new homes and foster homes. They are the result of many years of experience from our helpers and we hope that they provide a useful insight. Please note that these are only guidelines and The Labrador Rescue Trust, its helpers and officers make clear that it is the responsibility of each home/foster home to recognise the needs of their dog and to react to those needs. The Trust, its helpers and officers cannot be held responsible for the behaviour of any individual dog.

THE LABRADOR RESCUE TRUST COMPANY

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