CONTROL OF DOGS (SCOTLAND) ACT 2010

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Schedule 1: Minor and consequential amendments

- 68. Schedule 1 makes minor and consequential amendments to relevant enactments.
- 69. Paragraph 1 amends section 1 of the Dogs Act 1906 ("the 1906 Act"). The 1906 Act makes provision in relation to the injury to livestock by dogs. Section 1(4) of that Act provides that where a dog is proved to have injured cattle or poultry or chased sheep it may be dealt with under section 2 of the 1871 Act. The 1871 Act is repealed by section 15 and schedule 2. Paragraph 1 replaces reference to the 1871 Act with a reference to section 9 of the Act to enable dogs which injure cattle or poultry or chase sheep to be dealt with by the court under that section.
- 70. Paragraph 2 amends the 1991 Act as a consequence of section 10 which amends section 3(1) of the 1991 Act to extend the application of that section to all places. Paragraph 2(5)(a) makes a minor consequential amendment to subsection 5(1)(c) of the 1991 Act to clarify that the seizure power in that provision relates to dogs.
- 71. Paragraph 2(5)(b) inserts a new subsection after subsection 5(1) of the 1991 Act (seizure of dog which appears to be dangerously out of control) to extend the power of seizure available to the police where a dog appears to be dangerously out of control to all places.