Civic Government (Scotland) Act 1982

1982 CHAPTER 45

PART IX

MISCELLANEOUS AND GENERAL

Miscellaneous

127   Advertising on local authority lands, vehicles etc.

(1) A local authority may enter into agreement with any person for the display of advertisements on or in—

  (a)   any land, premises or structure vested in or maintained by the authority;

  (b)   any vehicle owned or operated by the authority.

(2) This section is without prejudice to section 61 of the [M1]Town and Country Planning (Scotland) Act 1972 (control of advertisements) or to any regulation made under that Act by virtue of that section.

Marginal Citations
  M1   1972 c. 52.

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128   Control of stray dogs.

[F1](1) . . . .

(2) For the purpose of extending the powers under section 3 of the [M2]Dogs Act 1906 of seizure and detention of stray dogs to those found on land or premises other than [[F2]in roads] or places of public resort, the said section 3 shall be amended as follows—

  (a)   in subsection (1), after the word "resort", there shall be inserted the words "or on any other land or premises";

  (b)   after the said subsection (1) there shall be inserted the following subsection—

"(1A) The powers under subsection (1) above shall not be exercised in relation to any dog found on any land or premises other than a highway or place of public resort unless the owner of the land or premises or person having the right of possession thereof has consented to such exercise.".

(3) Any enactment in any local Act which amends section 3 of the said Act of 1906 or confers powers on a district or islands council in relation to the said section 3 as it applies to the area of the council shall cease to have effect.

Textual Amendments

F1   S. 128(1) repealed (1.4.1992) by Environmental Protection Act 1990 (c. 43, SIF 46:4), s. 162(2), **Sch. 16 Pt. IX**; S.I. 1992/266, **art.3**

F2   Words substituted by Roads (Scotland) Act 1984 (c. 54, SIF 108), s. 156(1), **Sch. 9 para. 87(7)**

Marginal Citations

M2   1906 c. 32.

[F3129   Killing of or injury to dogs worrying livestock.

(1) In any civil proceedings in respect of the death of or injury to a dog it shall be a defence to prove—

 (a) that the person alleged to have killed or injured the dog acted for the protection of any livestock and was a person entitled to act for the protection of that livestock; and

 (b) that within forty-eight hours of the killing or injury notice thereof was given by him or on his behalf at a police station or to a constable.

(2) For the purposes of this section a person is entitled to act for the protection of any livestock if, and only if—

 (a) the livestock or the land on which it is belongs to him or to any person under whose express or implied authority he is acting; and

 (b) the circumstances are not such that the livestock was killed or injured on land on to which it had strayed and either the dog belonged to the occupier or its presence on the land was authorised by the occupier.

(3) Subject to subsection (4) of this section, a person killing or causing injury to a dog shall be deemed for the purpose of this section to act for the protection of any livestock if, and only if, either—

 (a) the dog is worrying or is about to worry the livestock and there are not other reasonable means of ending or preventing the worrying; or

 (b) the dog has been worrying livestock, has not left the vicinity and is not under the control of any person and there are no practicable means of ascertaining to whom it belongs.

(4) For the purposes of this section the conditions stated in either of the paragraphs of the preceding subsection shall be deemed to have been satisfied if the person alleged to have killed or injured the dog believed that the condition was satisfied and had reasonable ground for that belief.

(5) For the purposes of this section—

  (a) an animal belongs to any person if he owns it or has it in his charge;

  (b) land belongs to any person if he is the occupier thereof;

  (c) "livestock" means cattle, horses, asses, mules, hinnies, sheep, pigs, goats and poultry, deer not in the wild state and while in captivity, pheasants, partridges and grouse; and

  (d) "poultry" means the domestic varieties of the following that is to say, fowls, turkeys, geese, ducks, guinea-fowls, pigeons and quails.**]**

Textual Amendments

 F3 S. 129 (except as it has effect for the purposes of s. 74) repealed by Animals (Scotland) Act 1987 (c. 9, SIF 4:6), s. 8(2), **Sch.**

Status:
Point in time view as at 01/05/2017.

Changes to legislation:
Civic Government (Scotland) Act 1982, Cross Heading: Miscellaneous is up to date with all changes known to be in force on or before 13 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.