



# Dogs Act 1906

1906 CHAPTER 32 6 Edw 7

An Act to consolidate and amend the Enactments relating to injury to live stock by Dogs, and otherwise to amend the Law relating to Dogs. [4th August 1906]

## Textual Amendments

F1 Act repealed (N.I.) (19. 12. 1983) by [S.I. 1983/764 \(N.I. 8\)](#), art. 56(2), [Sch. 2](#); [S.R. 1983/376](#), art. 2.

## Modifications etc. (not altering text)

C1 Words of enactment omitted under authority of [Statute Law Revision Act 1948 \(c. 62\)](#), s. 3

## 1 Liability of owner of dog for injury to cattle.

(1) ..... F2

(3) ..... F3

(4) Where a dog is proved to have injured cattle [<sup>F4</sup>or poultry] or chased sheep, it may be dealt with under section two of the <sup>M1</sup>Dogs Act, 1871, as a dangerous dog.

## Textual Amendments

F2 S. 1(1)(2) repealed and superseded (E.W.S.) by (E.W.) [Animals Act 1971 \(c. 22\)](#), ss. 1, 13(2)(a) and (S.) [Animals \(Scotland\) Act 1987 \(c. 9, SIF 4:6\)](#), ss. 1(8)(c), 8(2), [Sch.](#)

F3 S. 1(3) repealed (E.W.S.) by (E.W.) [Animals Act 1971 \(c. 22\)](#), s. 13(2)(a) and (S.) [Animals \(Scotland\) Act 1987 \(c. 9, SIF 4:6\)](#), s. 8(2), [Sch.](#)

F4 Words inserted by [Dogs \(Amendment\) Act 1928 \(c. 21\)](#), s. 1

## Marginal Citations

M1 1871 c. 56.

2 ..... F5

*Status: Point in time view as at 01/02/1991.*

*Changes to legislation: There are currently no known outstanding effects for the Dogs Act 1906. (See end of Document for details)*

### Textual Amendments

F5 S. 2 repealed by Diseases of Animals Acts 1950 (c. 36), s. 89, Sch. 5

## 3 Seizure of stray dogs.

- (1) Where a police officer [<sup>F6</sup>or a duly authorised officer of a local authority][<sup>F7</sup>or the proper officer of a district or islands council] has reason to believe that any dog found in a [<sup>F8</sup>highway][<sup>F8</sup>road] or place of public resort [<sup>F9</sup>or on any other land or premises] is a stray dog, he may seize the dog and may detain it until the owner has claimed it and paid all expenses incurred by reason of its detention.
- [<sup>F10X1</sup>(1A) The powers under subsection (1) of this section shall not be exercised in relation to a dog found on any land or premises other than a highway or place of public resort unless the owner or occupier of the land or premises has consented to such exercise.]
- [<sup>F11X1</sup>(1A) The powers under subsection (1) above shall not be exercised in relation to any dog found on any land or premises other than [<sup>F12</sup>in a road] 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.]
- [<sup>F13</sup>(1B) In subsections (1) and (1A) above “road” has the same meaning as in the Roads (Scotland) Act 1984.]
- (2) Where any dog so seized wears a collar having inscribed thereon or attached thereto the address of any person, or the owner of the dog is known, the chief officer of police, or any person authorised by him in that behalf [<sup>F14</sup>or a duly authorised officer of a local authority][<sup>F15</sup>or the proper officer of the district or islands council], shall serve on the person whose address is given on the collar, or on the owner, a notice in writing stating that the dog has been so seized, and will be liable to be sold or destroyed if not claimed within seven clear days after the service of the notice.
- (3) A notice under this section may be served either—
- (a) by delivering it to the person on whom it is to be served; or
  - (b) by leaving it at that person’s usual or last known place of abode, or at the address given on the collar; or
  - (c) by forwarding it by post in a prepaid letter addressed to that person at his usual or last known place of abode, or at the address given on the collar.
- (4) Where any dog so seized has been detained for seven clear days after the seizure, or, in the case of such a notice as aforesaid having been served with respect to the dog, then for seven clear days after the service of the notice, and the owner has not claimed the dog and paid all expenses incurred by reason of its detention, the chief officer of police, or any person authorised by him in that behalf [<sup>F14</sup>or a duly authorised officer of a local authority][<sup>F15</sup>or the proper officer of the district or islands council], may cause the dog to be sold or destroyed in a manner to cause as little pain as possible.
- (5) No dog so seized shall be given or sold for the purposes of vivisection.
- (6) The chief officer of police of a police area shall keep, or cause to be kept, one or more registers of all dogs seized under this section [<sup>F16</sup>by the officers of his force or, as the case may be, by the Local Authority’s officers][<sup>F17</sup>in the police area or, as the case may be, the area of the district or islands council][<sup>F18</sup>and the local authority for an area][<sup>F19</sup>and the district or islands council] which are not transferred

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to an establishment for the reception of stray dogs. The register shall contain a brief description of the dog, the date of seizure, and particulars as to the manner in which the dog is disposed of, and every such register shall be open to inspection at all reasonable times by any member of the public [<sup>F20</sup>on payment of a fee of [<sup>F21</sup>one shilling][<sup>F21</sup>5p].]

(7) [<sup>F22</sup>A dog seized under this section shall not be disposed of] by transferring it to an establishment for the reception of stray dogs unless a register is kept for that establishment containing such particulars as to dogs received in the establishment as are above mentioned, and such register is open to inspection by the public [<sup>F23</sup>on payment of a fee not exceeding [<sup>F24</sup>one shilling][<sup>F24</sup>5p].]

[<sup>F25</sup>(7A) Where a dog is disposed of under this section to a purchaser in good faith, the sale shall vest the ownership of the dog in the purchaser.]

(8) The police officer or other person having charge of any dog detained under this section shall cause the dog to be properly fed and maintained.

(9) All expenses incurred by the police under this section shall be defrayed out of the police fund, and any money received by the police under this section shall be paid to the account of the police fund.

[<sup>F26</sup>(9A) In this section and section 4 below, the expression “local authority” means a district council, a London borough council, the Common Council of the City of London or the Council of the Isles of Scilly.]

(10) . . . . . <sup>F27</sup>

#### Editorial Information

**X1** S. 3(1A) commencing “The powers under subsection (1) of this section” inserted (E.W.) by [Local Government Act 1988 \(c. 9, SIF 81:1, 2\)](#), **s. 39(3)(b)** and s. 3(1A) commencing “The powers under subsection (1) above” inserted (S.) by [Civic Government \(Scotland\) Act 1982 \(c. 45, SIF 81:2\)](#), **s. 128(2)(b)**

#### Textual Amendments

- F6** Words inserted (E.W.) by [Local Government Act 1988 \(c. 9, SIF 81:1, 2\)](#), **s. 39(2)(a)(5)** and repealed (*prosp.*) by [Environmental Protection Act 1990 \(c. 43, SIF 46:4\)](#), ss. 162(1), 164(3), **Sch. 15 para. 3(2)**
- F7** Words inserted (S.) by [Civic Government \(Scotland\) Act 1982 \(c. 45, SIF 81:2\)](#), **s. 128(1)(a)(i)(2)(a)** and repealed (*prosp.*) by [Environmental Protection Act 1990 \(c. 43, SIF 46:4\)](#), ss. 162(1), 164(3), **Sch. 15 para. 3(2)**
- F8** Word “road” substituted (S.) for word “highway” by [Roads \(Scotland\) Act 1984 \(c. 54, SIF 108\)](#), **Sch. 9 para. 20(a)**
- F9** Words inserted (E.W.S.) by (E.W.) [Local Government Act 1988 \(c. 9, SIF 81:1, 2\)](#), **s. 39(3)(a)** and (S.) [Civic Government \(Scotland\) Act 1982 \(c. 45, SIF 81:2\)](#), **s. 128(2)(a)**
- F10** S. 3(1A) commencing “The powers under subsection (1) of this section” inserted (E.W.) by [Local Government Act 1988 \(c. 9, SIF 81:1, 2\)](#), **s. 39(3)(b)**
- F11** S. 3(1A) commencing “The powers under subsection (1) above” inserted (S.) by [Civic Government \(Scotland\) Act 1982 \(c. 45, SIF 81:2\)](#), **s. 128(2)(b)**
- F12** Words substituted by [Roads \(Scotland\) Act 1984 \(c. 54, SIF 108\)](#), **Sch. 9 para. 20(b)**
- F13** S. 3(1B) added (S.) by [Roads \(Scotland\) Act 1984 \(c. 54, SIF 108\)](#), **Sch. 9 para. 20(c)**
- F14** Words inserted (E.W.) by [Local Government Act 1988 \(c. 9, SIF 81:1, 2\)](#), **s. 39(2)(b)** and repealed (*prosp.*) by [Environmental Protection Act 1990 \(c. 43, SIF 46:4\)](#), ss. 162(1), 164(3), **Sch. 15 para. 3(2)**

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- F15** Words inserted (S.) by Civic Government (Scotland) Act 1982 (c. 45, SIF 81:2), **s. 128(1)(a)(ii)** and repealed (*prosp.*) by Environmental Protection Act 1990 (c. 43, SIF 46:4), ss. 162(1), 164(3), **Sch. 15 para. 3(2)**
- F16** Words commencing “by the officers” substituted (E.W.) by Local Government Act 1988 (c. 9, SIF 81:1), **s. 39(2)(c)** and repealed (*prosp.*) by Environmental Protection Act 1990 (c. 43, SIF 46:4), ss. 162(1), 164(3), **Sch. 15 para. 3(2)**
- F17** Words commencing “in the police area” substituted (S.) by Civic Government (Scotland) Act 1982 (c. 45, SIF 81:2), **s. 128(1)(a)(iii)** and repealed (*prosp.*) by Environmental Protection Act 1990 (c. 43, SIF 46:4), ss. 162(1), 164(3), **Sch. 15 para. 3(2)**
- F18** Words inserted (E.W.) by Local Government Act 1988 (c. 9, SIF 81:1), **s. 39(2)(c)(5)** and repealed (*prosp.*) by Environmental Protection Act 1990 (c. 43, SIF 46:4), s. 162(1), 164(3), **Sch. 15 para. 3(2)**
- F19** Words inserted (S.) by Civic Government (Scotland) Act 1982 (c. 45, SIF 81:2), **s. 128(1)(a)(iii)** and repealed (*prosp.*) by Environmental Protection Act 1990 (c. 43, SIF 46:4), ss. 162(1), 164(3), **Sch. 15 para. 3(2)**
- F20** Words repealed (S.) by Civic Government (Scotland) Act 1982 (c. 45, SIF 81:2), **Sch. 4**
- F21** “5p” substituted (E.W.) for “one shilling” by virtue of Decimal Currency Act 1969 (c. 19, SIF 10), **s. 10(1)**
- F22** Words substituted (E.W.S.) by (E.W.) Local Government Act 1988 (c. 9, SIF 81:1, 2), **s. 39(2)(d)** and (S.) Civic Government (Scotland) Act 1982 (c. 45, SIF 81:2), **s. 128(1)(a)(vi)** and are repealed (E.W.S.)(*prosp.*) by Environmental Protection Act 1990 (c.43, SIF 46:4), ss. 162(1), 164(3), **Sch. 15 para. 3(2)**
- F23** Words repealed (S.) by Civic Government (Scotland) Act 1982 (c. 45, SIF 81:2), **Sch. 4**
- F24** “5p” substituted (E.W.) for “one shilling” by virtue of Decimal Currency Act 1969 (c. 19, SIF 10), **s. 10(1)**
- F25** S. 3(7A) inserted (S.) by Civic Government (Scotland) Act 1982 (c. 45, SIF 81:2), **s. 75(a)**
- F26** S. 3(9A) inserted (E.W.) by Local Government Act 1988 (c. 9, SIF 81:1, 2), **s. 39(2)(e)(5)** and repealed (*prosp.*) by Environmental Protection Act 1990 (c. 43, SIF 46:4), ss. 162(1), 164(3), **Sch. 15 para. 3(2)**
- F27** S. 3(10) repealed by Police Act 1964 (c. 48), **Sch. 10 Pt. I**, Police (Scotland) Act 1967 (c. 77), Sch. 5 Pts. I, II

**Modifications etc. (not altering text)**

- C2** S. 3(4)–(9) applied by Dogs (Protection of Livestock) Act 1953 (c. 28), **s. 2(3)**

**[<sup>F284</sup> Delivery of stray dogs to police.**

[ Any person (in this section referred to as “the finder”) who takes possession of a stray <sup>F29</sup>(1) dog shall forthwith either—

- (a) return the dog to its owner; or
- (b) take the dog to the police station which is nearest to the place where the dog was found and inform the police officer in charge of that station where the dog was found [<sup>F30</sup>but this subsection shall not apply where the finder is a duly authorised officer of a local authority][<sup>F31</sup>but this subsection shall not apply where the finder is the proper officer of a district or islands council].]

(2) Where a dog has been [<sup>F32</sup>so taken to a police station][<sup>F32</sup>taken to a police station in pursuance of section 150(1) of the Environmental Protection Act 1990] then—

- (a) if the finder desires to keep the dog, he shall inform the said police officer of [<sup>F33</sup>his name and address, and the said police officer shall make out in duplicate a certificate in such form as may be prescribed by the Secretary of State stating the description of the dog, the place where it was found, the date on which it was brought to the police station, the name and address of the finder, and shall give one copy of the certificate to the finder and retain the other][<sup>F33</sup>this

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fact and shall furnish his name and address and the police officer shall, having complied with the procedure (if any) prescribed under subsection (5) below, allow the finder to remove the dog], and thereupon the finder may remove the dog, but shall be under an obligation to keep it for not less than one month;

(b) if the finder does not desire to keep the dog, the said police officer shall treat it as if it had been seized by him in pursuance of section three of this Act.

(3) If the finder [<sup>F34</sup>fails to comply with any of the provisions of [<sup>F35</sup>subsections (1) and (2)] this section][<sup>F34</sup>removes the dog but fails to keep it for at least one month,], he shall be liable on summary conviction to a fine not exceeding [<sup>F36</sup>level 1 on the standard scale][<sup>F37</sup>level 2 on the standard scale].

[ The Secretary of State may, by regulations made by statutory instrument, prescribe the <sup>F38X2</sup>(4) procedure to be followed under subsection (2)(a) above and any instrument containing regulations under this subsection shall be subject to annulment in pursuance of a resolution of either House of Parliament.]

[ Where a person has taken possession of a stray dog, and kept it in accordance with <sup>F39X2</sup>(4) subsection (2)(a) above for a period of two months without its having been claimed by the person having right to it, the person who has taken possession of it shall, at the end of that period, become the owner of the dog.]

[ The Secretary of State may, by regulations made by statutory instrument, prescribe the <sup>F40</sup>(5) procedure to be followed under subsection (2)(a) above and any instrument containing regulations under this subsection shall be subject to annulment in pursuance of a resolution of either House of Parliament.]]

### Editorial Information

**X2** S. 4(4) commencing “The Secretary of State” inserted (E.W.) by [Environmental Protection Act 1990 \(c. 43, SIF 46:4\)](#), ss. 162(1), 164(3), **Sch. 15 para. 3(3)(e)** and s. 4(4) commencing “Where a person” inserted (S.) by [Civic Government \(Scotland\) Act 1982 \(c. 45, SIF 81:2\)](#), s. 75(b)(ii)

### Textual Amendments

**F28** S. 4 substituted by [Dogs \(Amendment\) Act 1928 \(c. 21\)](#), s. 2

**F29** S. 4(1) repealed (*prosp.*) by [Environmental Protection Act 1990 \(c. 43, SIF 46:4\)](#), ss. 162(1), (2), 164(3), Sch. 15 para. 3(3), Sch. 16 Pt. IX

**F30** Words inserted (E.W.) by [Local Government Act 1988 \(c. 9, SIF 81:1\)](#), s. 39(4)

**F31** Words inserted (S.) by [Civic Government \(Scotland\) Act 1982 \(c. 45, SIF 81:2\)](#), s. 128(1)(b)

**F32** Words commencing “taken to a police station in pursuance” substituted (*prosp.*) for words “so taken to a police station” by [Environmental Protection Act 1990 \(c. 43, SIF 46:4\)](#), ss. 162(1), 164(3), **Sch. 15 para. 3(3)(b)**

**F33** Words commencing “this fact” substituted (*prosp.*) for words commencing “his name and address” by [Environmental Protection Act 1990 \(c. 43, SIF 46:4\)](#), ss. 162(1), 164(3), **Sch. 15 para. 3(3)(c)**

**F34** Words commencing “removes the dog” substituted (*prosp.*) for words commencing “fails to comply” by [Environmental Protection Act 1990 \(c. 43, SIF 46:4\)](#), ss. 162(1), 164(3), **Sch. 15 para. 3(3)(d)**

**F35** Words inserted (S.) by [Civic Government \(Scotland\) Act 1982 \(c. 45, SIF 81:2\)](#), s. 75(b)(i)

**F36** Words “level 1 on the standard scale” substituted (E.W.) by virtue of [Criminal Law Act 1977 \(c. 45, SIF 39:1\)](#), s. 31(5)(6) and [Criminal Justice Act 1982 \(c. 48, SIF 39:1\)](#), s. 46

**F37** Words “level 2 on the standard scale” substituted (S.) by virtue of [Criminal Procedure \(Scotland\) Act 1975 \(c. 21, SIF 39:1\)](#), ss. 289C(4)(5), 289G and [Civic Government \(Scotland\) Act 1982 \(c. 45, SIF 81:2\)](#), s. 75(b)(i)

**F38** S. 4(4) commencing “The Secretary of State” inserted (E.W.)(*prosp.*) by [Environmental Protection Act 1990 \(c. 43, SIF 46:4\)](#), ss. 162(1), 164(3), **Sch. 15 para. 3(3)(e)**

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- F39** S. 4(4) commencing “Where a person” inserted (S.) by Civic Government (Scotland) Act 1982 (c. 45, SIF 81:2), s. 75(b)(ii)
- F40** S. 4(5) inserted (S.)(*prosp.*) by Environmental Protection Act 1990 (c. 43, SIF 46:4), ss. 162(1), 164(3), **Sch. 15 para. 3(3)(e)**

**Modifications etc. (not altering text)**

- C3** S. 4 extended (S.) by Animals (Scotland) Act 1987 (c. 9, SIF 4:6), s. 3(2)

5 ..... **F41**

**Textual Amendments**

- F41** S. 5 repealed by Dog Licences Act 1959 (c. 55), **Sch.**

**6 Burying of carcasses.**

Any person who shall knowingly and without reasonable excuse permit the carcase of any head of cattle belonging to him [<sup>F42</sup>or under his control] to remain unburied in a field or other place to which dogs can gain access shall be liable on conviction under the Summary Jurisdiction Acts to a fine not exceeding [<sup>F43</sup>level 1 on the standard scale].

**Textual Amendments**

- F42** Words inserted by Dogs (Amendment) Act 1928 (c. 21), s. 3
- F43** Words substituted (E.W.S.) by virtue of (E.W.) Criminal Justice Act 1982 (c. 48, SIF 39:1), ss. 38, 46 and (S.) Criminal Procedure (Scotland) Act 1975 (c. 21, SIF 39:1), ss. 289F, 289G

**7 Definition of cattle.**

In this Act the expression “cattle” includes horses, mules, asses, sheep, goats, and swine.

**8 Application of Act to Scotland.**

This Act shall apply to Scotland with the following modifications:—

- (a) ..... **F44**
- (b) The expression “police officer” shall mean a constable within the meaning of [<sup>F45</sup>the <sup>M2</sup>Police (Scotland) Act, 1967]:
- (c) ..... **F46**
- (d) ..... **F47**

**Textual Amendments**

- F44** S. 8(a) repealed by Police (Scotland) Act 1967 (c. 77), **Sch. 5 Pt. I**
- F45** Words substituted by Police (Scotland) Act 1967 (c. 77), **Sch. 4**
- F46** S. 8(c) repealed by Statute Law (Repeals) Act 1976 (c. 16), **Sch. 1 Pt. I**
- F47** S. 8(d) repealed by Statute Law Revision Act 1927 (c. 42)

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**Marginal Citations**

M2 1967 c. 77.

**F489 Application of Act to Ireland.**

This Act shall apply to Ireland with the following modifications:—

- (a) The Department of Agriculture and Technical Instruction for Ireland shall be substituted for the Board of Agriculture and Fisheries:
- (b) The expressions “chief officer of the police” and “police area” shall mean . . . . the district inspector of the Royal Irish Constabulary, and the district over which he is appointed:
- (c) The expenses incurred by the police under section three of this Act shall on demand be paid to the chief officer of police out of the money in the hands of the registrar arising from the sale of licences under the Dogs Regulation (Ireland) Act, 1865, and any money received by the police under the said section shall be paid by the chief officer of the police to the registrar, and be applicable as money arising from the sale of licences.

**Textual Amendments**

F48 Act repealed (N.I.) (19.12.1983) by S.I. 1983/764 (N.I. 8), art. 56(2), Sch. 2; S.R. 1983 No. 376, art. 2.

**Modifications etc. (not altering text)**

C4 The text of s. 9 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

**10** . . . . . F49

**Textual Amendments**

F49 S. 10 and Schedule repealed by Statute Law Revision Act 1927 (c. 42)

**11** <sup>X3</sup>†**Short title and commencement.**

This Act may be cited as the Dogs Act, 1906 . . . F50

**Editorial Information**

X3 Unreliable margin note

**Textual Amendments**

F50 Words repealed by Statute Law Revision Act 1927 (c. 42)

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**F51F51** SCHEDULE

**Textual Amendments**

**F51** S. 10 and Schedule repealed by [Statute Law Revision Act 1927 \(c. 42\)](#)

..... **F51**



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**Changes to legislation:**

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