

CHAPTER 163**DOGS AND CATS ORDINANCE**

ARRANGEMENT OF SECTIONS

SECTION

1. Short title
2. Interpretation
3. Keeper of dog
4. Licensing of dogs
5. Identification markers may be inserted in dogs
6. Change of ownership, etc. of dog to be notified
7. Control officers may inspect dogs
8. Control officers may enter certain premises
9. Seizure and destruction of unlicensed dogs
10. Seizure and destruction of stray cats
11. Regulations

CHAPTER 163**DOGS AND CATS ORDINANCE**

(Ordinances 12 of 1982, 9 of 1995 and 2 of 2004)

AN ORDINANCE TO CONTROL DOGS AND CATS.

Commencement

[22 December 1982]

Short title

1. This Ordinance may be cited as the Dogs and Cats Ordinance.

Interpretation

2. In this Ordinance, except where the context otherwise requires—
“control officer” means any police officer and any other person authorised by the issuing officer to act as a control officer;
“issuing officer” means the Financial Secretary or such other officer as may be appointed by the Governor; and
“prescribed” means prescribed by regulations made under this Ordinance.

Keeper of dog

3. The occupier of any house or premises where a dog is kept or permitted to live or remain at the material time shall be presumed to be the keeper of the dog for the purposes of this Ordinance unless he proves that at the material time he was not the keeper of the dog:

Provided that where there are more occupiers than one in any house or premises let in separate apartments or lodgings or otherwise, the occupier of that part of the house or premises in which a dog has been kept or permitted to live or remain at the material time shall be presumed to be the keeper of the dog.

Licensing of dogs

4.² (1) The keeper of every dog above the age of two months shall obtain from the issuing officer a licence (hereinafter referred to as “a dog licence”) to keep such a dog.

(2) A dog licence shall be in the prescribed form and shall be valid for twelve months from the date of issue.

(3) A dog licence may be issued unconditionally or subject to such conditions as may be prescribed.

(4) There shall be paid for dog licences the fees prescribed.

(5) Any person who is required by the provisions of this section to obtain a dog licence and who neglects or fails so to do or who, having obtained a dog licence, is in breach of a licence condition, shall be guilty of an offence and shall be liable on conviction to a fine not exceeding £50.

Identification markers may be inserted in dogs

5.³ (1) The issuing officer may at the time when a licence is being obtained for a dog in accordance with section 4(1)—

(a) require the keeper of the dog to produce the dog to the issuing officer or to a person appointed by the issuing officer; and

(b) either—

(i) implant in the dog; or

(ii) cause a person appointed by him to implant in the dog, an identification marker unique to that dog.

(2) A person who—

(a) fails to produce a dog when required to do so in accordance with subsection (1)(a); or

(b) hinders or obstructs a person placing an identification marker in a dog in accordance with subsection (1)(b), is guilty of an offence and is liable upon conviction to a fine not exceeding £50.

Change of ownership, etc. of dog to be notified

6.⁴ (1) A person—

(a) who has been issued with a licence in respect of a dog; or

(b) to whom ownership of a dog has been transferred in accordance with this subsection,

must within 14 days after a change of ownership of the dog or a further change of ownership of the dog, as the case may be—

(c) notify the issuing officer of the change of ownership; and

(d) provide the issuing officer with the name and address of the new owner of the dog.

(2) A person—

² Section 4 amended by Ord. 9 of 1995 and Ord. 2 of 2004

³ Section 5 inserted by Ord. 9 of 1995

⁴ Section 6 inserted by Ord. 9 of 1995

- (a) who has been issued with a licence in respect of a dog; or
- (b) to whom ownership of a dog has been transferred in accordance with subsection (1),

must within 14 days after a change in the place where the dog is normally kept—

- (c) notify the issuing officer of the change of place where the dog is normally kept; and
- (d) provide the issuing officer with the address where the dog will in future normally be kept.

(3) A person who fails to comply with subsection (1) or (2) is guilty of an offence and liable upon conviction to a fine not exceeding £10.

Control officers may inspect dogs

7.⁵ (1) A control officer may inspect any dog he finds, whether on public property or private property, to ascertain whether it is licensed in accordance with this Ordinance.

(2) A person who—

- (a) hinders a control officer attempting to inspect a dog in accordance with subsection (1); or
- (b) prevents a control officer from carrying out an inspection in accordance with subsection (1),

is guilty of an offence and is liable upon conviction to a fine not exceeding £50.

Control officers may enter certain premises

8.⁶ (1) A control officer may enter any premises where he reasonably suspects there is a dog that is required to be licensed under this Ordinance but is not so licensed and may search the premises for any such dog.

(2) A person who—

- (a) hinders a control officer who has entered or is searching premises in accordance with subsection (1); or
- (b) prevents a control officer from entering or searching premises in accordance with subsection (1),

is guilty of an offence and is liable upon conviction to a fine not exceeding £50.

Seizure and destruction of unlicensed dogs

9. (1) A control officer may seize any dog which is not licensed in accordance with this Ordinance and may destroy the dog.

(2) A dog shall be deemed not to be licensed in accordance with this Ordinance if—

- (a) no person has been issued with a licence to keep such a dog; or
- (b) the holder of the dog licence in respect of such dog is in breach of a licence condition.

Seizure and destruction of stray cats

10. A control officer who has reason to believe that any cat is a stray cat may seize the cat and destroy it.

⁵ Section 7 inserted by Ord. 9 of 1995

⁶ Section 8 inserted by Ord. 9 of 1995

Regulations

11. The Governor in Council may make regulations for the further and better execution of this Ordinance and, without prejudice to the generality of such power, such regulations may provide for—

- (a) anything which by this Ordinance is required or permitted to be prescribed;
 - (b) the form of dog licences and other documents to be issued or used for the purposes of this Ordinance;
 - (c) the information to be supplied and documents to be produced in connexion with any application for a dog licence, a variation of a dog licence or any other matter connected with this Ordinance;
 - (d) the powers and duties of control officers;
 - (e) conditions to be attached to dog licences and the variation of such conditions;
 - (f) fees for dog licences.
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