

ANTIGUA AND BARBUDA



THE DOGS REGISTRATION AND CONTROL (AMENDMENT) ACT, 2012

No. 4 of 2012

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THE DOGS REGISTRATION AND CONTROL (AMENDMENT) ACT, 2012

ARRANGEMENT

Sections

1. Short title.
2. Amendment of section 2
3. Amendment of section 26
4. Amendment of section 27
5. Amendment of section 29
6. Amendment of section 30
7. Amendment of section 31
8. Amendment of section 32
9. Insertion of section 32A
10. Insertion of Fourth and Fifth Schedule

[L.S.]



I Assent,

Louise Lake-Tack,
Governor-General.

1st August, 2012.

ANTIGUA AND BARBUDA

THE DOGS REGISTRATION AND CONTROL (AMENDMENT) ACT, 2012

No. 4 of 2012

AN ACT to amend the Dogs Registration and Control Act.

ENACTED by the Parliament of Antigua and Barbuda as follows:

1. Short title

This Act may be cited as the Dogs Registration and Control (Amendment) Act, 2012.

2. Amendment of section 2

The Dog Registration and Control Act 2006, No 12 of 2006, hereafter referred to as the principal Act is amended in section 2, by inserting after the definition of “Police Service Dog” of the following—

“pound” means a facility designated by the Authority, for the purpose of detaining, maintaining or disposing of dogs which have been placed there after legal seizure under the authority of the Dogs Registration and Control Act.

3. Amendment of section 26

The principal Act is amended in section 26 by repealing section 26 in its entirety and substituting the following—

“26. Dog Control Officer

(1) A Dog Control Officer may seize and impound any dog found running at large contrary to the provisions of this Act.

(2) A Dog Control Officer may seize and impound any unregistered, unlicensed dog or any dog that is not wearing a valid licence tag.”

4. Amendment of section 27

The principal Act is amended in section 27 by repealing section 27 in its entirety and substituting the following—

“27 Police assistance

It shall be the duty of any officer of the Royal Police Force of Antigua and Barbuda, upon request by the Authority, to aid and assist in enforcing the provisions of this Act.”

5. Amendment of section 29

The principal Act is amended in section 29, by inserting after subsection (2) of the following—

“(3) Every Dog Control Officer who—

- (i) exercises or purports to exercise any power conferred by this Act shall at all times carry and if required shall produce evidence of his authority as a Dog Control Officer;
- (ii) has in his possession a warrant issued under this Act, is authorised to enforce the provisions of this Act, and may enter onto private property to impound a dog.”

6. Amendment of section 30

The principal Act is amended in section 30 by the repeal of the word “Agent” in subsection (2) and substituting the word “Authority”.

7. Amendment of section 31

The principal Act is amended in section 31—

(1) By inserting after the words “shall be taken to” in subsection (1) the words “a pound or”.

(2) By repealing the word “Agent” in line two of subsection (3) and substituting the word “Authority”.

(3) By repealing the word “Agent” wherever it appears in subsection (4) and substituting the word “Authority”.

(4) By repealing the word “carges” in subsection (5) (b) and substituting the word “charges”.

8. Amendment of section 32

The principal Act is amended in section 32 by the insertion of the word “Authority,” after the word “The” in line one.

9. Insertion of section 32A

The principal Act is amended by inserting after section 32 the following—

“32A Powers of entry

(1) If a Dog Control Officer has reasonable cause to believe that an offence under this Act has been committed and by virtue of that belief, has cause to search any premises for a dog, or to seize and take away any dog, the Dog Control Officer may apply to a Magistrate under subsection (2), in the form prescribed in the Fourth Schedule, for a warrant.

(2) A Magistrate may grant a warrant in the form prescribed in the Fifth Schedule to search any premises for a dog and to seize and take away that dog, where the Magistrate is satisfied, on evidence upon oath, that there is reasonable cause to believe that—

(a) an offence under this Act has been committed; and

(b) the dog with respect to that offence is in those premises.

(3) A warrant may be granted at any time but may not be executed on a Sunday.

(4) Within ten days from the date upon which a warrant issued under this section was executed, the person who executed the warrant shall return to a Magistrate and submit a written report containing—

(a) the date, time and circumstances under which the warrant was executed;

(b) a detailed list of each dog seized; and

(c) the location of the pound or animal shelter where the dog was taken.

(5) For the purposes of sub-section (4) a person is not required to appear before the same Magistrate who granted the warrant in respect of which the report is being made”.

10. Insertion of Fourth and Fifth Schedule

The principal Act is amended by inserting after the Third Schedule the following Schedules—

“FOURTH SCHEDULE

(Section 32A)

**ANTIGUA AND BARBUDA
IN THE MAGISTRATE’S COURT
The Dogs Registration and Control Act, 2006
(No. 12 of 2006)**

**Application for WARRANT
ANTIGUA AND BARBUDA**

Application for Warrant

***Pursuant to section 32A of the Dogs Registration and Control Act, 2006
(No. 12 of 2006)***

I....., of
..... in Antigua and Barbuda, a
Dog Control officer appointed under the Dogs Registration and Control Act, 2006 No. 12 of 2006
on the.....day of20....., before the undersigned
Magistrate,..... in Antigua and Barbuda state
that.....
.....
.....

and I further state that by virtue of the above I have probable cause to suspect that an offence has
been committed under the Dogs Registration and Control Act, 2006 No. 12 of 2006 and that there
is a dog, with respect to that offence concealed
by.....at.....
.....
.....

..... in the parish of in Antigua and Barbuda.
Sworn before me the }
day of20..... }Dog Control Officer

.....
Magistrate.

FIFTH SCHEDULE

**ANTIGUA AND BARBUDA
IN THE MAGISTRATE’S COURT
The Dogs Registration and Control Act, 2006
(No. 12 of 2006)**

WARRANT

ANTIGUA AND BARBUDA

Warrant

**Pursuant to section 32A of the Dogs Registration and Control Act, 2006
(No. 12 of 2006)**

To Each And All Dog Control Officers of Antigua And Barbuda

Evidence on oath has been given thisday of20.....
by that there is reasonable cause to believe that an
offence has been committed under the Dogs Registration and Control Act, 2006 No.12 of 2006
and that there is a dog with respect to that offence at.....

.....
..... in the parish
of
..... in Antigua and Barbuda.

I am satisfied that the before mentioned evidence on oath establishes reasonable cause to believe
that the dog so described is at the premises above-described and establishes grounds for the
issuance of this warrant.

You are therefore hereby commanded, with the assistance of.....
..... and
....., to enter the said premises, by force and
breaking doors if necessary and to search the same and if any dog with respect to that offence is
found therein to seize and take away that dog to a pound.

You are hereby commanded to return, within ten days from the date upon which this warrant was
executed, to me or any other Magistrate, a written report containing the execution of the
particulars of the warrant pursuant to section 32A(4) of this Act.

Given under my hand thisday of20.....
.....
Magistrate.”

Passed by the House of Representatives on
the 30th May , 2012.

Passed by the Senate on the 20th June, 2012.

D. Gisele Isaac-Arrindell,
Speaker.

Hazely M. Francis,
President.

Romona Small,
Clerk to the House of Representatives.

Romona Small,
Clerk to the Senate.

