The Happy Dog Training Academy

Legislation For Dog Ownwership

There are over 20 pieces of legislation that apply to dog ownership in Britain. This guide will help you understand your responsibilities, but it is **not to be considered as legal advice.**

The information below applies to England and Wales only. The rules may be different in Scotland and Northern Ireland.

**Animal welfare**

**Your responsibility to keep your dog happy and healthy.**

It is every pet owner responsibility in England and Wales, all pet owners have a legal duty to provide for their pet’s welfare needs?

All domestic animals, under section nine of the Animal Welfare Act 2006, have the legal right to:

* live in a suitable environment.
* eat a suitable diet,
* exhibit normal behaviour patterns.
* be housed with, or apart from, other animals.
* be protected from pain, suffering, injury, and disease.
* have medical treatment when needed

Dog owners who fail to ensure their pet’s welfare needs are met could face prosecution. And, more importantly, they run the risk of causing suffering to an animal who they have a responsibility to care for.

**If I break this law?**

Owners can be taken to court if they do not look after their pets properly and face a prison sentence of up to 51 weeks, and a fine of up to £20,000. They may also have their pet taken from them and be banned from having pets in the future.

**Law:** Animal Welfare Act 2006, section 32

**Electric shock collars**

In Wales, dog collars that give an electric shock are banned. These include collars operated by remote control, anti-bark collars and collars that are linked to electric fences.

Electric shock collars use pain and fear to train or control dogs. We are campaigning for a complete United Kingdom Ban, there is no place for Cruel Devices in training.

**Law:** Animal Welfare (Electronic Collars) (Wales) Regulations 2010

**Tail docking**

It is against the law to dock a pet dog’s tail, in whole or in part. Exemptions to the rule include if tail removal is needed for medical reasons. Or, if the dog will become a working dog, then a puppy’s tail can be docked if they are less than five days old. This exemption only applies to certain breeds, and these defined types are different in [**England**](http://www.legislation.gov.uk/uksi/2007/1120/schedule/1/made) and [**Wales**](http://www.legislation.gov.uk/wsi/2007/1028/made).

**What can happen if I break this law?**

If illegal docking takes place, the penalties include a maximum of two years in prison and an unlimited fine. **Law:** Under the Docking of Working Dogs Tails (England) Regulations 2007, Docking of Working Dogs Tails (Wales) Regulations 2007

**Ear docking/Shaping**

It is illegal in England and Wales to dock or shape a dog's ears, in whole or in part. This is a painful procedure and damages the way a dog communicates with other pets and us. This is a barbaric procedure and only performed for cosmetic reasons.

**What can happen if I break this law?**

If docking takes place, the penalties include a maximum of six months in prison and/or an unlimited fine.

**Law:** Animal Welfare Act 2006, section five (mutilation)

**Cruelty**

Animal cruelty is a criminal offence. The 2006 welfare act covers a wide range of Events considered as Offences, you should read up on them if you own a pet, ignorance is no defence in Law.

**What can happen if I break this law?**

Allowing a dog to suffer unnecessarily could land you in prison for six months, a £20,000 fine and a ban on keeping animals.

**Law:** Animal Welfare Act 2006, section 32

**At home, in someone else’s home, or on private property**

**Controlling your dog in your own home or on someone else’s property**

Allowing your dog to be ‘dangerously out of control’ is against the law on private property, as well as in public. An exemption is in place if a dog bites someone who has no legal right to be in your home, for example a burglar. This is classed as reasonable force, even so the dog is not allowed to move off your property. Anyone who your dog bites, has a legal right to prosecute you.

You will need to make sure your dog is not a threat to delivery drivers, postal workers, health workers and other professionals who may visit your property.

A dog does not have to bite or physically injure someone for an offence to take place. If a person feels your dog may hurt them, they may still be considered ‘dangerously out of control’. This applies to dogs of all sizes, breeds, and types.

We strongly recommend reading about [**canine body language**](https://www.bluecross.org.uk/pet-advice/be-safe-dogs) so you can tell when your dog is uncomfortable in a situation at home.

**What can happen if I break this law?**

Owners can be prosecuted if their dog attacks someone in their home, including in their front and back gardens, or in private property, such as a pub. **Law:** Anti-social Behaviour, Crime and Policing Act 2014, sections 106 and 107 amends the Dangerous Dogs Act 1991

**Dog barking too much**

**It is natural for dogs to bark sometimes. But when they**[**bark a lot over a long period of time**](https://www.bluecross.org.uk/pet-advice/how-stop-your-dog-barking)**they can become a noisy nuisance to your** neighbours.

Usually, when dogs bark persistently over a long period of time, it is because they are distressed. Common reasons include:

* [being left home alone for too long](https://www.bluecross.org.uk/pet-advice/home-alone-separation-anxiety-dogs)
* wanting attention
* feeling worried about something

We recommend contacting a [**qualified behaviourist**](http://www.apdt.co.uk/) to help you understand the underlying issue and support you to improve this.

**What can happen if I break this law?**

Dog barking can be classed as a 'statutory nuisance'. Your local authority’s environmental health department can formally ask you to stop your dog from continuing the behaviour and, if you do not, they can take your dog away from you. Not only this, but prolonged periods of barking can be stressful for your dog and have an impact on their wellbeing.

**Law:**Environmental Protection Act 1990

**Out and about in public**

We recommend checking your local authority’s website to find out about any specific laws or restrictions on dogs in your area.

**Dog fouling**

Dog fouling (picking up poop after your dog) consistently ranks as the number one thing local councils receive complaints about. You must scoop that poop in public places. Dog poop not cleaned up can cause illness in people, livestock, and wild animals. If you cannot find a rubbish bin while out and about then you need to take the poo bags home with you and use your own bin. It might seem like not much harm has been done, but canine faeces can contain parasites that, if not cleaned up, can spread to grass. If this grass is eaten it can cause pregnant cattle to lose their young, as well as blindness in humans.

Owners of assistance dogs who have a disability that prevents them from picking up poo, for example a Guide Dog walked by a registered blind person, are exempt from these rules.

**What can happen if I break this law?**

Owners can be issued with a fixed penalty notice of up to £100 or a fine of £1000 if prosecuted for not complying with regulations.

Law: Environmental Protection Act (1990), Litter (Animal Droppings) Order 1991; Anti-social Behaviour, Crime and Policing Act 2014, The Countryside Code.

**Dogs on leads**

There is no blanket law requiring dogs to be kept on a lead in all public spaces. However, there are a series of orders that mean you have to keep your dog on the lead in certain places in your local area, for example children’s play areas, sports pitches, roads, parks and beaches.

Many local authorities have introduced Public Spaces Protection Orders over the last couple of years to restrict [**dogs to being walked on lead**](https://www.bluecross.org.uk/pet-advice/walking-your-dog-tips-for-walking-on-lead-and-off-lead)**s** (or excluded from the area entirely) in certain public spaces. Look out for signage detailing restrictions. We also recommend checking your local council’s website for details of any restricted areas.

**What can happen if I break this law?**

Local authorities have the power to introduce these orders under several different laws and can issue fines or fixed penalty notices for those who do not comply.

Law: Road Traffic Act 1988, section 27; Anti-social Behaviour, Crime and Policing Act 2014

**Out of control in a public place**

Dogs must not be allowed to be ‘dangerously out of control’, which means injuring someone or making someone fear they may be injured. This applies to any breed or type of dog.

We highly recommend taking your dog to positive reinforcement training classes to ensure you, your dog and others can enjoy being around each other in outside spaces.

**What can happen if I break this law?**

Owners (or the person in charge of the dog at the time) who allow their pets to hurt a person, face punishments of up to three years in prison for injury, or 14 years for death, an unlimited fine, disqualification from owning pets and having their dog destroyed. It is also an offence to allow a dog to injure a registered assistance dog. In cases where no injury is caused, owners can still go to prison for six months, be fined up to £5,000, be banned from owning pets and have their dog destroyed.

**Law:** Dangerous Dogs Act 1991, section 3

**Dogs and livestock**

Dogs should not be allowed to ‘worry’ livestock. This means owners [**must prevent dogs from attacking livestock**](https://www.bluecross.org.uk/pet-advice/dogs-and-livestock), chasing livestock, or being out of control off lead in a field containing sheep.

Even if your dog does not bite livestock, chasing or barking at them can cause pregnant animals to lose their young through stress.

When walking in the countryside or other areas where you’re likely to come across cattle, sheep, [**horses**](https://www.bluecross.org.uk/pet-advice/keep-dogs-and-horses-safe-around-each-other) and other animals, we recommend keeping your dog on a lead. Be particularly wary of farm animals with their young.

[**The Countryside Code**](https://www.gov.uk/government/publications/the-countryside-code/the-countryside-code-advice-for-countryside-visitors)**states**: "On Open Access land and at the coast, you must put your dog on a lead around livestock. Between 1 March and 31 July, you must have your dog on a lead on Open Access land, even if there is no livestock on the land. These are legal requirements."

If you feel threatened or are chased by livestock, then let go of the lead for your own safety. It is usually the dog they see as a threat rather than you and most dogs can easily outrun a cow.

If you are walking across farmland where you can see livestock, or even if you think sheep, cattle, goats, or other animals may be nearby, it is important to put your dog on a lead.

Even if your pet does not usually chase, they may become excited by unusual smells, sounds or movements and it is better to be safe than sorry.

Under the Countryside and Rights of Way Act 2000, on 'access land', dogs must be always kept on a lead that is no more than two metres long around livestock.

**What can happen if I break this law?**

The maximum fine for a dog owner is up to £1,000. Farmers can also shoot dogs they believe are worrying livestock on their land.

**Law:** Dogs (Protection of Livestock) Act 1953, Animals Act 1971, section 3, Countryside and Rights of Way Act 2000

**Dogs in pubs, restaurants, and cafes**

There is no law or any health and safety regulations that ban dogs from being in premises where food and drink is served or sold. However, they must not enter areas where food is prepared, handled, or stored, for example the kitchen. It is up to the owner of the establishment that serves food and drink whether they’d like to welcome dogs.

**Law:**Food Hygiene Regulations 2013, under EU Regulation (EC) 852/2004, Annex II

**Dogs and roads**

**Walking your dog by a road**

Your local authority has the power to ask you to keep your dog on a lead when walking along ‘designated’ roads. A designated road is one your local authority has chosen as such, and the section of road should be marked with signs.

While there is no countrywide blanket ban on walking dogs off-lead along roads, you should [**keep your dog on a lead**](https://www.bluecross.org.uk/pet-advice/walking-your-dog-tips-for-walking-on-lead-and-off-lead) when walking by any road to prevent accidents.

**Law:** Road Traffic Act 1988, section 27

**Dogs and road traffic accidents**

**If your dog is injured on the road**

Drivers who injure dogs with their car, motorbike or other vehicle must give their name and address to the owner, or person in charge of the dog. If there is no person with the dog at the time, the driver should report the incident to the police within 24 hours.

**Law:** Road Traffic Act 1988, section 170

**If your dog injures someone on the road**

Claims can be brought against dog owners who are proven liable if their dog causes a road incident that results in injury, illness, or death.

We recommend that dog owners’ take-out third-party liability [**insurance**](https://www.bluecross.org.uk/pet-advice/pet-insurance) to protect against any costs or compensation you may need to pay if your dog causes an accident.

Legal costs are expensive and can run into tens of thousands of pounds without insurance.

**Law:** Animals Act 1971, section 2

**Travelling with your dog in a car or other road vehicle**

The Highway Code requires dogs (and other animals) to be ‘suitably restrained so they cannot distract you while you are driving or injure you, or themselves, if you stop quickly’ ([**rule 57**](http://www.highwaycodeuk.co.uk/rules-about-animals---other-animals-56-to-58.html)). While breaking the Highway Code is not an offence in itself, allowing a dog to distract you could be taken into account in the event of an accident.

Bear in mind that in a crash, an unsecured dog will be thrown forward with significant force. This could result in your pet being injured or worse and, depending on the size of your dog, could also injure or kill the driver or passengers.

**Identification**

Dogs need to have two forms of identification when in a public place - microchipping and a collar with a tag.

**Microchipping**

All dogs must be [**microchipped**](https://www.bluecross.org.uk/pet-advice/microchipping-your-dog), and the owner’s details must be registered on one of the authorised databases.

Puppies must be microchipped before they go to their new homes, with the breeder being the first registered keeper. They are breaking the law if they do not register the puppy by the time, they are eight weeks old. Breeders should also pass on correct microchip paperwork to the new owner when the puppy goes home.

The law applies to dogs and puppies over the age of eight weeks. Exemptions are available if a vet believes there is a valid health reason not to microchip a dog. The vet must issue the owner with a certificate of exemption in this instance.

Owners are required to keep their pets’ details up to date, for example if they move to a new house. If you rehome your dog to someone else, you must give the new owner the correct microchip registration paperwork so that they can contact the database and register as the dog’s new owner.

**What can happen if I break this law?**

Owners and breeders who do not get their dog microchipped and registered with an approved database face a fine of up to £500 and could face criminal prosecution. This is also the case if your contact details change, and you don't update your details.

**Law:** Microchipping of Dogs (England) Regulations 2015, Microchipping of Dogs (Wales) Regulations 2015

**Collar and tag**

All pet dogs must wear a collar with the owner’s name and address on it when in a public place. The owner's details can be inscribed on the collar itself or on a tag attached to the collar. Even if your dog is microchipped, they still need to wear a collar or tag. Exemptions apply for some working dogs.

It is up to you whether you put your telephone number on the collar or tag as well, but we recommend you add your mobile number so you can be contacted at any time in case your dog goes missing.

**What can happen if I break this law?**

Owners can be fined up to £2,000.

**Law:** Control of Dogs Order 1992

**Lost and found or stray dogs**

Local authorities have a statutory duty to hold stray dogs for seven days so missing pets can be reunited with their owners. If the dog is not claimed after seven days, the authority can find the dog a new home (usually through a rehoming organisation) or euthanise them.

[**Anyone who finds a stray dog**](https://www.bluecross.org.uk/pet-advice/missing-and-stray-dogs) must try to reunite them with their owner if they know who they are or report them to the dog warden if they do not. The police are not responsible for stray dogs in England and Wales.

If you find a stray dog and wish to keep them, you must still contact the dog warden first. If you do not, you could be accused of theft.

**Law:** Environmental Protection Act 1990

**Illegal types of dog**

Some types of dog are illegal to own, breed, sell, abandon, or give away. The four banned types are:

* **Pit bull terrier**
* **Japanese tosa**
* **Dogo Argentino**
* **Fila Braziliero**

These four types are defined by what they look like, not by the dog’s breed, the dog’s parents’ breeds, DNA testing or behaviour.

Since the Dangerous Dogs (Amendment) Act 1997, owners who have been told their dog is one of these types can apply to the court for an exemption order. This means that dogs that look illegal can undergo a behavioural assessment which, if they pass, proves they are no danger to society. If a dog fails this test, they will be euthanised.

During the assessment period, The Dangerous Dogs Exemption Scheme (England and Wales) Order 2015 allows police to let dogs them deem not to be a risk to the public to be returned to their owners while they await a court date.

Dogs who pass the exemption process must be [**muzzled**](https://www.bluecross.org.uk/pet-advice/dogs-and-muzzle-training) and always kept on a lead in public. Owners must also take-out third-party liability [**insurance**](https://www.bluecross.org.uk/pet-advice/pet-insurance) for their pets.

**What can happen if I break this law?**

The police will seize a dog they suspect to be an illegal breed before an investigation is carried out. If that dog is then identified as one of the banned breeds, and an owner has not filed for an exemption order, they will be found guilty of owning an illegal breed and the dog will be put to sleep.

Read more about why we want to see breed-specific legislation overturned so dogs are no longer judged just on their looks.

**Law:** Dangerous Dogs Act 1991; Dangerous Dogs (Amendment) Act 1997

**Dog breeding and selling**

Anyone breeding three or more litters in a 12-month period and selling one or more of the puppies, must be licensed by the local council in England. Licences are not necessary for so called ‘hobby breeders. Licensed breeders must meet a series of minimum welfare standards.

In Wales, additional conditions apply, including licensing being a requirement for anyone keeping three or more breeding females.

In both England and Wales, it is illegal to sell a puppy under the age of eight weeks.

In April 2020, the government introduced legislation to ban sales of puppies by anyone other than the puppy’s breeder. It is also against the law to sell pets in the street, in pet shops, at markets or in public places.

Unfortunately, there is no specific legislation governing the sale of pets online, though this is something we are campaigning hard to change. Buying a puppy is a minefield due to inadequate and out of date laws that do not sufficiently protect animal welfare or consumers.

**What can happen if I break this law?**

Anyone who is an unlicensed breeder can be given a prison sentence of up to six months and a large fine.

**Law:**Pet Animals Act 1951; Breeding and Sale of Dogs (Welfare) Act 1999, Animal Welfare (Breeding of Dogs) (Wales) Regulations 2014, The Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018

**Dog kennels and home boarding**

Establishments that board dogs using kennels either overnight or during the day must be licensed by the local authority.

**Law:** Animal Boarding Establishments Act 1963 (as of October 2018, applies to Wales only)

**The following applies to England only.**

**Dog kennels**

Establishments that board dogs using kennels either overnight or during the day must be licensed by the local authority. Individuals who board dogs in kennels on their own property are also subject to these kennelling licensing requirements. But individuals who board dogs inside their own domestic homes must follow home boarding requirements.

**Law:** Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018

**Home boarding**

People who run a business looking after dogs in their home need a licence to do so from their local authority. Home dog boarders need a licence if they aim to make a profit, or if they earn any commission or fee. A licence is needed for home boarders whether they keep dogs in their home during the daytime only or overnight.

**Note:**Dog sitters are people who look after dogs in the dog’s home. These regulations do not apply to them. Home boarders must keep dogs within their home. Anyone who keeps dogs in a kennel must follow the dog kennel regulations. If you are searching for a home boarder to look after your dog, you can check with the local council that their licence is up to date.

**Law:** Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018

**Day care for dogs**

Establishments that provide day care for dogs at a business premises must be licensed by the local authority. If you are looking for day care for your dog, you can check with your local authority for a list of licensed doggy day care providers. The day care centre should also clearly and prominently display its licence at the premises.

**Law:**Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018

**Professional dog walking**

Some local authorities require people who run dog walking businesses to be licensed. There is no UK-wide legislation covering professional dog walking. We recommend you seek dog walkers with the relevant Insurance to cover your dog, as your dog may not be insured through you own pet insurance if they are injured. So, if you are looking for a dog walker for your pet, we recommend speaking to your local council to find out if relevant byelaws exist in your area. For example, some areas restrict the number of dogs that can be walked by one person at any one time.

**Law:** no UK-wide law - check with your local authority.

We hope this helps you to keep your dog safe, we have to recommend you take the right steps to keep you and your dog within the Law, as the Law dose not allow for not knowing. There are many situations within the Law that allows the local government to seize your dog.

Graham Head of training/ Canine Psychologist and Chairman